

MINUTES

North Carolina Medical Board

October 15-17, 2003

**1203 Front Street
Raleigh, North Carolina**

Minutes of the Open Sessions of the North Carolina Medical Board Meeting October 15-17, 2003.

The October 15-17, 2003, meeting of the North Carolina Medical Board was held at the Board's Office, 1203 Front Street, Raleigh, NC 27609. The meeting was called to order at 8:05 a.m., Wednesday, October 16, 2003, by Stephen M. Herring, MD, President Elect. Board members in attendance were: Charles L. Garrett, MD (October 16-17), President; Robert C. Moffatt, MD, Secretary; E. K. Fretwell, PhD; Robin N. Hunter-Buskey, PA-C; Michael E. Norins, MD; Walter J. Pories, MD; George L. Saunders, III, MD; Ms. Shikha Sinha; Edwin R. Swann, MD; and Mr. Aloysius P. Walsh. Absent was H. Arthur McCulloch, MD, Treasurer.

Staff members present were: R. David Henderson, JD, Executive Director; Thomas W. Mansfield, JD, Legal Department Director; Mary Wells, JD, Board Attorney; Brian Blankenship, JD, Board Attorney; Marcus Jimison, JD, Board Attorney; Amy Yonowitz, JD, Board Attorney; Ms. Wanda Long, Legal Assistant; Ms. Lynne Edwards, Legal Assistant; Mr. Curtis Ellis, Investigative Department Director; Don R. Pittman, Investigator/Compliance Coordinator; Mr. Edmund Kirby-Smith, Investigator; Mr. Fred Tucker, Investigator; Mrs. Therese Dembroski, Investigator; Mr. Jason Ward, Investigator; Mr. Loy C. Ingold, Investigator, Mr. Bruce B. Jarvis, Investigator; Ms. Jenny Olmstead, Senior Investigative Coordinator; Ms. Myriam Hopson, Investigative Coordinator; Mr. Dale Breaden, Director of Communications and Public Affairs; Ms. Dena Marshall, Public Affairs Assistant; Mrs. Joy D. Cooke, Licensing Director; Ms. Alexa Kapetanakis, PA/NP Coordinator; Ms. Michelle Lee, Licensing Assistant; Tammy O'Hare, GME Coordinator; Ms. Annette Marcussen, Licensing Assistant; Ms. Kelli Singleton, Licensing Assistant; Jesse Roberts, MD, Medical Director; Ms. Judie Clark, Complaint Department Director; Mrs. Sharon Squibb-Denslow, Complaint Department Assistant; Ms. Sherry Hyder, Complaint Summary Coordinator; Ms. Patricia Paulson, Malpractice/Medical Examiner Coordinator; Mr. Hari Gupta, Operations Department Director; Mrs. Deborah Aycock, Registration Coordinator; Ms. Rebecca L. Manning, Database Coordinator; Mrs. Janice Fowler, Operations Assistant; Mr. Peter Celentano, Comptroller; Mr. David Shere, Receptionist; Mr. Donald Smelcer, Technology Department Director; Ms. Pamela Rose, Human Resources Director; and Mr. Jeffery T. Denton, Executive Assistant/Board Recorder/Verification Secretary.

MISCELLANEOUS

Presidential Remarks

Dr. Herring commenced the meeting by reading from Governor Easley's Executive Order No. 1, the "ethics awareness and conflict of interest reminder." No conflicts were reported.

Mr. Gupta briefed the Board regarding security and destruction of compact disks used for licensing interviews and the Board Book. He also covered effective use of the new Board Room microphones.

Mr. Mansfield briefed the Board on the hearing schedule for this Board Meeting.

Change of Command

At the conclusion of the Board Meeting Dr. Garrett made his closing remarks and passed the gavel to Dr Herring who will be the new President effective next month. Dr. Herring presented Dr. Garrett with a mounted gavel and a framed resolution commemorating his

service as the President of the Medical Board for the past year. The resolution reads as follows:

RESOLUTION
**In Recognition of the Distinguished Service Rendered by
Charles L. Garrett, Jr, MD, as President of the
North Carolina Medical Board
February 7—October 31 2003**

WHEREAS, Charles L. Garrett, Jr, MD, of Jacksonville, North Carolina, who earned his medical degree at the Medical College of South Carolina, Charleston, who did his postgraduate training at the Medical University Teaching Hospitals in Charleston, who held fellowships at the Medical College of Virginia and the Office of the Chief Medical Examiner of Virginia, and who is a board certified pathologist, has distinguished himself in his practice of medicine and has devoted himself to serving the people and the medical community of North Carolina, being presented the Order of the Long Leaf Pine by Governor Hunt in 1998 for his service;

WHEREAS, Dr Garrett was first named to the North Carolina Medical Board in January 2001 and served as chair of the Board's Policy Committee and as a member of its Investigative, Executive, and Legal Committees;

WHEREAS, Dr Garrett served as the Board's secretary/treasurer from February 2002 through October 2002 and became president elect of the Board on November 1, 2002;

WHEREAS, in his role as president elect, as colleague, and as friend, Dr Garrett provided tireless support to the Board's president, John T. Dees, MD, during Dr Dees' illness;

WHEREAS, on the untimely death of Dr Dees on February 7, 2003, Dr Garrett assumed office as president of the North Carolina Medical Board with characteristic strength and skill, sensitive to the painful demands of the time and to the needs of the Dees family and of the Board;

WHEREAS, Dr Garrett successfully guided the Board through a difficult period of transition, which involved a variety of complex issues, including the preparation and occupation of the Board's new offices and the enhancement of its staff, and did so with a determination and a spirit that distinguishes him and honors the Board;

NOW, THEREFORE, BE IT RESOLVED that the North Carolina Medical Board publicly recognizes the exceptional leadership that Charles L. Garrett, Jr, MD, has given the Board in his role as the Board's president and deeply appreciates the distinguished service he has rendered the Board and the people of North Carolina; and

BE IT FURTHER RESOLVED that this Resolution be made part of the minutes of the Board and that a formal copy be presented to Dr Garrett.

Approved by acclamation this 17th day of October 2003.

2004 Budget

Motion: (RM, MN) A motion passed that the 2004 Board Budget be approved as distributed.

MINUTE APPROVAL

Motion: A motion passed that the September 17-19, 2003, Board Minutes are approved as presented.

ATTORNEY'S REPORT

CASES CALENDARED FOR HEARING

AMIR, Guy, MD

Continued to November 2003

BRADEN, Gregory Alan, MD

BOARD ACTION: Consent Order/ 45 day suspension

DELLACONA, Salvatore John, MD

BOARD ACTION: Accept proposed Consent Order

DIAMOND, Patrick Francis, MD

BOARD ACTION: Grant Motion to Continue

LESZCZYNSKI, Donald Bryan, MD

Continued to January 2004

MCCONATHA, Buford Dottridge, PA

Continued to November 2003

SEBHAT, Bernhan, MD

Continued

TOBIN, Christopher Gregg, MD

Consent Order signed

CONSENT ORDERS PRESENTED FOR CONSIDERATION

SOLAN, Gwen Emily, MD

BOARD ACTION: Accept proposed Consent Order

BHIRO, Thakrdeo Michael, MD

BOARD ACTION: Accept proposed Consent Order

EXECUTIVE COMMITTEE REPORT

Charles Garrett, MD; Stephen Herring, MD; Robert Moffatt, MD; Arthur McCulloch, MD; Walter Pories, MD

The Executive Committee of the North Carolina Medical Board was called to order at 4:00 pm, Thursday October 16, 2003 at the offices of the Board. Present were: Charles L. Garrett, MD, Chair; Stephen M. Herring, MD; Robert C. Moffatt, MD and Walter J. Pories, MD. Aloysius P.

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Walsh was also in attendance. Members of the staff in attendance were R. David Henderson, (Executive Director), Thomas Mansfield (Director of Legal), Hari Gupta (Director of Operations), Pamela Rose (Director of Human Resources) and Peter T. Celentano, CPA (Comptroller).

Financials

Mr. Celentano, CPA, presented to the committee the August 2003 compiled financial statements. August 2003 is the end of the tenth month of fiscal year 2003.

Dr. Pories made a motion to accept the financial statements as reported. Dr. Moffatt seconded the motion and the motion was approved unanimously.

The August 2003 Investment Summary was reviewed and accepted as presented.

New Business

A motion passed to close the session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee.

A motion passed to return to open session.

Executive Director – Goals Document: The committee reviewed a draft of a goals document that will be used next year to evaluate the performance of the Executive Director.

NCMB Fee Analysis: The committee reviewed a document that summarized the fees assessed by the Medical Board, including what authority the Board has to charge such fees, as well as the last time changes were made to the fees. This document will be used in future months when the Medical Board seeks to secure a fee increase.

NCMB License: Hari Gupta updated the Committee on the new wall license certificates that the Board will start issuing next month. Mr. Gupta explained to the Committee that the Board would be outsourcing to a new vendor the printing and mailing of the wall licenses.

The meeting was adjourned at 4:40 pm.

POLICY COMMITTEE REPORT

Stephen Herring, MD; Charles Garrett, MD, Chair; Aloysius Walsh; Michael Norins, MD; Arthur McCulloch, MD; Shikha Sinha

The Policy Committee of the North Carolina Medical Board was called to order at 3:49 PM, Wednesday, October 15, 2003, at the office of the Board. Present were: Stephen M. Herring, MD, Chair; Shikha Sinha, Michael E. Norins, MD. Absent were: Charles L. Garrett, MD; Aloysius P. Walsh, and Arthur McCulloch, MD. Also attending were: Jesse Roberts, MD, Medical Director, NCMB; Thomas Mansfield, JD, Director, Legal Department, NCMB (PC Staff); Amy Yonowitz, JD (PC Staff); Melanie Phelps, JD, North Carolina Medical Society; Mr Dale G Broaden, Public Affairs Director, NCMB; Wanda Long, Legal Assistant, NCMB (PC Staff); and Mr Jeffery T. Denton, Board Recorder (PC Staff).

NB: **Recommendation to Board**=Committee's request for Board consideration of item.

Action=Item related to the Committee's own work or deliberations.

[] =background information

Purchased Laboratory Tests (Dr Herring and Mr Mansfield)

(Dr Garrett recused himself from this discussion)

[At the June 2002 Board meeting, a motion passed that the Board and Medical Society's attorneys jointly seek a private opinion from the AMA Council on Ethical and Judicial Affairs concerning this question, asking it about the ethical issues involved.

Additional information was received, including a policy developed by the North Carolina Society of Pathologists (NCSP). It was also reported that the president of the North Carolina Medical Society would be willing to put together a working group of the Society and Board members to review the issue. At the October 2002 Committee meeting, several guests spoke to the issue, including Keith Nance, MD, President, North Carolina Society of Pathologists; Laura Lomax, MD, President, North Carolina Dermatology Association; William S. Ketcham, MD, practicing dermatologist; John Bower, MD, practicing pathologist; and Michael Crowell, JD, of Tharrington Smith.

At the December 2002 Committee meeting, the following comments were received from interested individuals attending the meeting.

Michael Crowell, JD, repeated his position of October that the Board should have a position statement on markups. He then introduced Jane Pine Wood, JD. Ms Wood indicated that she represents 85 groups in 35 states. She reviewed several issues: the incentive for the national pathology provider to get Medicare work; the element of quid pro quo; medical work in exchange for discounts; the physician's looking for the most cost effective provider and not necessarily the best quality provider; possible violation of anti-kickback law; the AMA's ethical opinion, adopted over 20 years ago, that physicians should not be purchasing services and putting a markup on those services; the need for more specific guidance for physicians in North Carolina; states that require direct billing; states that take a position that services can be marked up as long as the bill shows what that markup is. She expressed concern that North Carolina is unregulated in this regard and the Inspector General of HHS has said they could view a discount by a pathology provider to a physician as violation of the anti-kickback law. In her clients' jurisdictions, where by statute a markup for a handling fee is permitted, the fees are generally under \$10, and are tied to the service. However, it is not uncommon for discounts to be offered on pathology services of up to 50%, with physicians adding a markup.

At the February 2003 meeting, Mr Mansfield indicated this subject continued to be a work in progress, with the North Carolina Medical Society coordinating the efforts. In addition, he indicated there would be no opinion coming from the AMA Council on Ethical and Judicial Affairs.

At the April meeting, Mr Mansfield said he expected something from the Medical Society relatively soon, though there was nothing new to report at the April meeting. He was to report the results of the Medical Society's efforts to Dr Herring when they became available.

At the June meeting, Mr Mansfield stated that work continues on this subject and he expects to report something at the next Policy Committee meeting.

At the August Committee meeting Mr. Mansfield reported that he had been hopeful that all parties concerned would get together outside the Board arena, settle their differences and work out a solution that was acceptable to all parties, including the Medical Board. This has not been the case. The following motion was passed: (1) Direct the Legal Department to prepare for signature by R. David Henderson, Executive Director, a letter to Dr. Keith Nance explaining that the Board has carefully considered his inquiry, taken information from all interested parties, engaged in extensive analysis and ultimately concluded that it cannot make a blanket statement about the appropriateness or inappropriateness of the practice of marking up to the patient pathology/lab services that were sold at a discount to the referring physician. The Board intends to take these matters on a case-by-case basis. The Board will investigate any complaints delivered to the Complaint Department of the Board and

consider all the factors raised by the various parties in determining whether the conduct deviates from the ethics of the profession. The Board will look into the specific facts and financial arrangement in each case in determining whether to take disciplinary action. (2) Direct the Legal Department to prepare for signature by R. David Henderson, Executive Director, and letters to the presidents of the pathology and dermatology societies thanking them for their input and advising of the Board's response to Dr. Nance's inquiry.]

At the October meeting Mr. Mansfield provided a copy of the letter that was sent to Dr. Nance and copies of letters to the societies involved and the legislative representatives that had made inquiries.

Action: This item will now be removed from the agenda.

Optometrists Performing Certain Injections (Dr Garrett and Mr Mansfield)

[In September 18, 2002, Dr Pories, then president, thanked the North Carolina Board of Optometry for notifying the Medical Board regarding optometrists treating and managing chalazia. Dr Garrett described chalazia in detail. There was a consensus that the NC Medical Board is concerned about non-physicians performing this procedure. On September 19, 2002, the Medical Board sent a letter to the Board of Optometry stating: "The Medical Board understands from your memorandum of August 13, 2002, to North Carolina Licensed Optometrists (a copy of which is attached) that your Board is preparing to issue 'privileges' to perform certain procedures requiring injections in the practice of Optometry. The Board has reviewed your memorandum and is concerned that the activities contemplated may constitute the unlicensed practice of medicine. The Medical Board wishes to advise your Board that it may take legal action in the event that optometrists perform acts that constitute the practice of medicine."

At the December 2002 Policy committee meeting, Dr Garrett stated that it appeared the optometrists are going to begin training and certifying optometrists to do injections within the next 60-90 days. He believed it was going to happen even though they have been put on notice that that would be a violation of the MPA and the Medical Board would take action. He requests that Mr Mansfield be authorized to enter into conversation with Mr Loper, who represents the Board of Optometry, to see if we can bring this issue before a judge and get a ruling before the optometrists go forward with the injections. Mr Mansfield indicated he had spoken briefly with Mr Loper and they would like the opportunity to discuss this approach, to try to resolve differences, and to see if there is a way to get a ruling. This will take time and resources. Mr Loper indicated he did not know if the optometrists' current course of action could be held off, but he would be happy to sit down with his clients and see if they would entertain a standstill until "litigation by agreement could occur." He indicated that in his experience it would be hard to get in front of a judge and get a decision in 60-90 days.

Mr Bobbitt, representing the North Carolina Society of Ophthalmologists, commended this approach, saying it could keep anyone from getting hurt.

Mr Mansfield was ultimately authorized to confer with Mr Loper on this matter to see what could be done to facilitate the approach proposed

At the February Policy Committee meeting, Mr Mansfield reported to the Committee on his discussions in closed session. Following that, the full Board passed a motion authorizing Mr Mansfield to continue negotiations and discussions with Mr Loper regarding potential litigation between the Medical Board and the Optometry Board.

At the April Policy Committee meeting, Mr. Mansfield reported that negotiations with Mr. Loper were continuing.

Mr Mansfield's discussion at the June Policy Committee meeting dealt with legal matters and was closed pursuant to NCGS 143-318.11 (a) to discuss prospective litigation and to preserve attorney client confidences. (No written materials were included.)

Mr Mansfield's report was accepted and he was asked to continue the process.

At the August Policy Committee meeting Mr Mansfield's discussion dealt with legal matters and was closed pursuant to NCGS 143-318.11 (a) to discuss prospective litigation and to preserve attorney client confidences. (No written materials were included.)

Mr Mansfield's report was accepted and he was asked to continue the process.]

At the October meeting this item was tabled until the next Policy Committee meeting.

Ethical guidelines for the Use of Electronic Mail between Patients and Physicians (Mr Mansfield and Ms Phelps)

[A report from the AMA Council on Ethical and Judicial Affairs titled "Ethical Guidelines for the Use of Electronic Mail Between Patients and Physicians" was presented to the Committee. Dr Garrett stated this report is exhaustive and has several good points. He asked if our licensees might be aided if they had a position statement on this subject.

At the February Policy Committee meeting, Mr Mansfield and Mr Breaden were asked to explore this report with a goal of extracting some precise information for North Carolina licensees on the use of e-mail and privacy issues. Ms Phelps was requested to brief the committee on what the HIPPA implications might be.

At the April committee meeting Ms Phelps was unable to attend and this item was tabled.

At the August committee meeting Ms Phelps reported that she has not had a chance to review this issue as yet.

Ms. Phelps reported that this is associated with security and privacy regulations. The Board's position currently is in line with the HIPPA regulations and the security part of the bundle does not go into effect until 2005. She proposes a *Forum* article to articulate the concerns, pros, cons and pitfalls, and wait until the security regulations associated with HIPPA become more clear. She recommends not implementing a position statement at this time. The Board passed a motion that an article be prepared for the *Forum*. Ms. Phelps has volunteered to write such an article.]

At the October meeting Ms. Phelps reported that the article is a work-in-progress and she will update the committee at a future meeting.

Board's Medical Records Statements and HIPPA (Ms Phelps)

[The Medical Board is reviewing the Position Statements due to recent implementation of the new HIPPA rules to ensure the Medical Board's statements are in compliance.

At he June committee meeting Ms Phelps reported to this meeting that she had reviewed the Board's position statements and there are five that are potentially affected. Most are minor but the access to physician records position statement may require a significant change. A team was formed to work on this issue: Mr Mansfield, Ms Yonowitz, Ms Phelps, and Mr Henderson.

At the August Committee meeting the following three revised position statements were presented to the Policy Committee which reviewed, discussed and modified as needed and the Board adopted a motion to approve them: The Physician-Patient Relationship, Access to Medical Records, and Departures Form or Closings of Medical Practices.]

At the October meeting Ms. Yonowitz and Ms. Phelps reported that they had sent out some queries for guidance on what actually constitutes the medical record (x-rays, fetal monitoring screens, etc.). They have received some responses and have further queries to make.

Consideration of a Position Statement on Postoperative Follow-up Care

[At the August meeting Dr. Herring proposed that the Board adopt a position statement that basically states: "Following surgery, responsibility for follow-up care rests with the

surgeon. Peri-operative care should be performed by the surgeon, or specific arrangements should be made in advance to provide coverage for the patient. Failure to provide coverage for post-surgical patients constitutes abandonment, which will not be tolerated by the Board." He asks if the Medical Board needs to promulgate such a position statement. His concern is that patients are being operated on and then returning to home in a different town. They are then showing up in the ER of their hometown where the ER physician has no information on the patient, no records and is obligated to take care of the patient. It is horrible for physicians and puts the patient at extreme risk to operate on them and then send them away to another location.

A discussion ensued. Numerous scenarios were presented: the specialty surgeon that is brought in and then returns to afar; physicians without hospital privileges; physician offices that cover numerous counties; this may not only be surgical patients; lots of patients are having surgery in this state at major medical centers without referral to the medical center; high risk vs low risk surgery; etc.

It was decided that this matter would be explored in more detail at a future Policy Committee meeting. In the meantime Mr. Keen volunteered to do research regarding the concerns that this may change the way surgery is done in the State, especially, in regards to how it would affect major medical care facilities.]

At the October meeting a proposed revision to the current Position Statement **Availability Of Physicians to Their Patients** was presented to the Committee. The American College of Surgeons (ACS) Statement on Principles Underlying Perioperative responsibility was also reviewed. A discussion ensued and various modifications were made to the proposed Position Statement.

Recommendation to the Board: That the following revised position statement be adopted by the Board:

Motion: (WP, AW) A motion passed to accept the following revised position statement (RHB voted against).

NCMB Position Statement

Revised Position Statement

AVAILABILITY OF PHYSICIANS TO THEIR PATIENTS

- It is the position of the North Carolina Medical Board that once a physician-patient relationship is created, it is the duty of the physician to provide care whenever it is needed or to assure that proper physician backup is available to take care of the patient during or outside normal office hours.
- If the physician is not generally available outside normal office hours and does not have an arrangement whereby another physician is available at such times, this fact must be clearly communicated to the patient, verbally and in writing, along with written instructions for securing care at such times.
- The surgeon is responsible for postoperative care of the patient, including complications. This responsibility extends through the period of convalescence until the residual effects of the surgical procedure are minimal, and the risk of complications of the operation is predictably small.

(Adopted July 1993)
(Amended May 1996, January 2001, October 2003)

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There being no further business, the meeting adjourned. The next regular meeting of the Policy Committee is tentatively set for 3:00PM, Wednesday, December 17, 2003.

ALLIED HEALTH COMMITTEE REPORT

Michael Norins, MD; Robin Hunter-Buskey, PAC; Arthur McCulloch, MD; E. K. Fretwell, PhD

Present: Michael Norins, MD; E.K. Fretwell, PhD, Robin Hunter-Buskey, PA, David Henderson, Jennifer Hedgepeth, Bill Vaassen, PA, Melanie Phelps, Marc Katz, Wayne VonSeggen, Marcus Jimison, Alexa Kapetanakis. Absent: Arthur McCulloch, MD.

Letter from Polly Johnson, NC Board of Nursing – David Henderson shared information about a meeting he had with Polly Johnson, Executive Director of the NC Board of Nursing (NC BON). Mr. Henderson briefly described a time line of what was happening with the proposed NP Rules. A letter from Ms. Johnson requested the Medical Board reconsider their decision not to move forward in the rule making process with the portions of the NP rules that the NC BON and the NC Medical Board could agree upon. The Allied Health committee recognizes that a response to Ms. Johnson’s letter is expected and wishes to discuss the NP rules and a response to the letter at the November Board meeting.

CPP – Mr. Henderson hand delivered two letters to David Work, Executive Director of the NC Board of Pharmacy (BOP). A letter regarding CPP applications explained how the Medical Board has been reviewing the applications and shared components, if included in the applications, which would be helpful in gaining approval. The contents of this letter are open for discussion with the BOP.

A second letter confirmed that the Medical Board is committed to allowing pharmacists to administer immunizations, however a more detailed rule would be needed before the Board would give it’s final approval. A model rule from Texas Board of Pharmacy was included in the letter.

CPP White Paper – Marcus Jimison talked through a document he prepared, per the Board’s request, describing a CPP’s scope of practice. Dr. Norins used his practice as an example of the relationship between a CPP and his/her supervising physician, emphasizing the narrow, focused approach to treatment.

CPP Rule Change – A rule change proposal was sent from the Board of Pharmacy to clarify the allowance for CPP’s to prescribe controlled substances. A motion was made and passed to table the CPP proposed rule change to the November meeting.

Letter from DEA regarding CPP’s prescribing controlled substances – This letter was distributed and accepted as information.

APPLICANTS LICENSED

PA - (***)Indicates PA has not submitted Intent to Practice Forms)

PHYSICIAN ASSISTANT

Burns, Erin M
Logan, Bernard A Jr.
Parks, Joan C

PRIMARY SUPERVISOR

Skinner, Michael
Thurber, David Jr.
Voytek, Anna

PRACTICE CITY

Durham
Raleigh
Greensboro

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Patterson, Richard E	Carr, Timothy	Gastonia
Shugart, Clayton L	***	

PA Applicants to be licensed after receipt of acceptable SBI report-

Burgess, Amy	***	
Cole, Christopher	***	
Corbett, Stephanie	***	
Edgerton, Christopher	Moore, Barry	Wilmington
Evette, Michelle	***	
Fales, Amy	***	
Gatlin, Stephen	Ciapponi, Nelsa	Weddington
Hardin, Geoffrey	***	
Jennette, Millicent	Smith, R David	Fayetteville
Kennedy, Todd	***	
Kidd, Laura	***	
Mohr, Ami	***	
Olson, Thomas	***	
Pyles-Sweet, Kris	***	
Rafes, Stefanie	Skinner, Michael	Durham
Secord, Jennifer	***	
Smith, Fraces	Movahed, Assad	Greenville
Stichman, Tad	Dimmig, Thomas	Durham
Stone, Julie	***	
Stucky, Melissa	***	
Weber, Sarah	Shea, Michael	Greensboro

PA Applicants to be licensed after receipt of passing PANCE scores-

Arnold, Alison	***
Ellis, Leland Jr.	***
Lowder, Richard	***
Revels, Christina	***
Tran, Hoa	***
Travis, Tara	***

PA - Intent to Practice Forms Acknowledged

<u>PHYSICIAN ASSISTANT</u>	<u>PRIMARY SUPERVISOR</u>	<u>PRACTICE CITY</u>
Anderson, Steven Edward	Hoilien, Michael Joseph	Ft Bragg
Arce, Joseph Michael	Ferguson, Robert Lee Jr.	Fayetteville
Ashier, Saurabh	Skinner, Michael Allen	Durham
Baker, David Charles	Goforth, James Walter	Hickory
Bass, Kenya Dameta	Thompson, Sidney Earl	Fayetteville
Bassford, Alicia Marie	Ludwig, Kirk Allen	Durham
Bewick, Ronald Winston Jr.	Wilhelmsen, Bruce Douglas	Greenville
Blake, John Alden	Heter, Michael Allen	Leland
Brais, Blanche Elizabeth	Davis, John Franklin	Winston-Salem
Brewer, Patricia Ann	Stewart-Carballo, Charles Willy	Fayetteville
Bryant, Vicki McVey	Lai, Chi-Kwong	Statesville
Buchanan, Misty Ann	Cadogan, Robert Floyd Anthony	Winston-Salem
Buckland, David Nelson	Russell, David Norman	Star
Christ-Clement, Tracy Ann	Bello, Broderick Cande	Nashville

Cohen, Joe Dexter	Gerlinger, Tad Loren	Ft Bragg
Cowan, Daniel Louis	Birkedal, John Peter	Winston-Salem
Davis, Sarah Cole	Clements, David Alday	Asheville
Davis, Tamsy Ellen	Bohle, David John	Winston-Salem
Davis, William Franklin	Rich, Jonathan David	Fairmont
Derrick, James Lee	Balch, Patty Joyce	Winston-Salem
Despaigne, Policarpo R	Maultsby, James Alexander	Navassa
Eckert, Lynn Gordon	Jackson, Anita Louise	Lumberton
Fifer, Nicole Elaine	Johnson, Earlie Thomas Jr.	Jacksonville
Fletcher, Caroline Brooke	Browne, Richard Everette	Charlotte
Foltz, Frederick Emmonel	Ferguson, Robert Lee Jr.	Fayetteville
Fox, James Robert	Merrill, Steven Carlson	Taylorsville
Freas, Luther Wayne	Mastrangelo, Michael Rocco	Wilmington
Garwood, Dawn Marie	Hocker, Michael Brian	Durham
Gorski, Karen	Bernstein, Daniel Joseph	Concord
Gorski, Karen	Gaunt, George Loren Jr.	Concord
Griffin, Beth Allison	Warren, Rufus Hawkins	Sneads Ferry
Guy, Thomas Sloane III	Berry, Wayne Jefferson II	North Wilkesboro
Harkness, Gale Lynn	Herman, Christopher Michael	Winston-Salem
Harless, Jeremy Leland	Conley, Martin James Jr.	Wilmington
Harrison, John Charles	Hillsgrove, David Curtis	Mooreville
Hefner, Richard James	Hansen, Todd Herman	Asheville
Hemp, Antoinette E.	Clay, Henry Tucker Jr.	Jefferson
Hendrix, Cherilyn Marie	Skinner, Michael Allen	Durham
Hubbard, Lynn	Winter, De Benjamin	Smithfield
Hutchison, Paula B	Dundee, David Thomas	Winston-Salem
Illobre, Andrew Nicholas	Williams, Barton Gee	Wilmington
Ireton, Susan Cragin	Weingold, Matthew Adam	Greensboro
Kauffman, Gary D.	Roper, Gary Wayne	Murphy
Kelly, Charles R. Jr.	Rice, James Edwin	Southern Pines
Killian, Phillip Andrew	Kalala, Jamal Mohamad	Taylorsville
Kirch, Eric Jonathan	Matthews, Charles Joseph	Raleigh
Kreidel, Deanna Sue	Brewbaker, Stephen Lewis	Wilmington
Lamb, Amelia Kaye	O'Malley, John Scott	Wilmington
Lamielle, Cindy Oldson	Dumas, Mark Neal	Trenton
Larsen, Steven Cole	London, Deborah Louise Blake	Newton
Lassen, Arlo Clair	Green, Arthur Gerrish III	Greensboro
Lawrence, Robert Evans	Rodriguez, Luis Ernesto	Ahoskie
Lewis, David Wilton	Wiener, Dana Nowicki	Durham
Lord, Deborah Hiatt	Keith, Randall Scott	Westfield
Lott, Charles Edmondson	Fowler, William Varn	Marion
Lovato, Frank James	Ferguson, Robert Lee Jr.	Fayetteville
Lowe, David Ellis	Readling, Randy Darene	Salisbury
MacDonell, Stuart John	Kowalski, David Carl	Burlington
Magnussen, David Thomas	Tripp, Henry Franklin Jr.	Danville
Mahon, Margot Carol	Fernando, Nishantha Hesiri	Durham
Mallico, Amanda Freeman	Onwukwe, Augustine Nnana	Charlotte
Markley, Linda Jean	Harrill, Willard Cardwell	Hickory
Martin, Holly Rebecca	Rooker, Sara Lynn	Cary
Martin, Kimberly Jayne	Jones, William Hunter	Wilmington
McCaffrey, James Andrew	Templeton, David Wesley	Salisbury

McDowell, Julia Holliday	Hall, Timothy James	Charlotte
Messersmith, James E	Kelley, Scott Streater	Durham
Moore, Christina Leigh	Schneider, Joel Evan	Raleigh
Morris, Charlene McClure	Metiko, Olushola Jones	Raleigh
Morton, Kathryn Suzanne	Williams, Johnathan Deleon	Gastonia
Noel, Cecile	Carr, Josiah Mark II	Raleigh
O'Leary, Elizabeth H	Jones, Frederick Samuel	Raleigh
Osterer, Raymond Henry	London, Deborah Louise Blake	Newton
Paitsel, Lisa Koontz	Grandis, Arnold Stephan	Greensboro
Paterson, Kimberly Brown	Henihan, Robert D. Jonathan	Wilmington
Patterson, Jimmy Dale Jr.	Royer, Harrell Clark Jr.	Albemarle
Paul, Robert Allen Jr.	Mask, Allen Greene Jr.	Raleigh
Presson, J. Lee Hammond	Molpus, John Lane	Greensboro
Quillen, Rocky C.	Cromer, John Willard Jr.	Wilmington
Quillen, Rocky C.	Pence, James Jerome Jr.	Wilmington
Reid, Alan Jordan	Figuroa, Robert Lawrence	Davidson
Rendall, David Strong	Cobb, Frederick Ross	Durham
Riddle, Kelly Amanda	Zivony, Daniel Israel	Asheville
Smith, Stacey Moose	Reagan, Robert William Jr.	Durham
Stanley, Glenn Martin	Afridi, Saifullah Khan	Raleigh
Starns, Marcia M	Klumpar, David Ivan	Pinehurst
Stone, Todd Iverson	De La Cruz, Kathleen Ann	Hendersonville
Strong, Garon Rindane	Bridgman, John Alfred	Southern Pines
Strong, Garon Rindane	Vang, Toubert	Robbins
Tate, Gary Steven	Jackson, Anita Louise	Clayton
Tripp, Glenn Foster	Winter, De Benjamin	Smithfield
Van Wallendael, Shawn E	Agner, David Marshal	Albemarle
Ventrilla, James Joseph	Henderson, Keith Francis	Laurinburg
Vogele, Colleen Leah	Pappas, Theodore Nick	Durham
Warren, Edward Britt	Boleman, Robert Charles	Hendersonville
Weeks, Kelly Michelle	McCarthy, Francis Michael	Edenton
Wertman, Sara Elizabeth	Granfortuna, James Mitchell	Greensboro
Wheeler, Hugh Avery	Hoover, Charles Henry III	Monroe
Wheeler, Roy Winston	Kessel, John Woodruff	Hickory
Whitwell, Bruce Edward	Nicholson, James Evans III	Rocky Mount
Williams, Steven Shane	Gioffre, Ronald Anthony	Greensboro
Wilmoth, Jennifer Elaine	Graham, Donald Dean Jr.	Winston-Salem
Wilson, Raeleen Alise	Hansen, Todd Herman	Asheville
Wood, Bruce Wayne	Okons, Toby Bert	Hope Mills
Zagon, Laura Joan	Ciapponi, Nelsa Andersson	Weddington
Zelasky, Clara Josephine	Patterson, Kristine Leigh Blair	Chapel Hill

NP – Initial Applications Recommended for Approval after Staff Review-

<u>NURSE PRACTITIONER</u>	<u>PRIMARY SUPERVISOR</u>	<u>PRACTICE CITY</u>
Anderson, Scott	Neel, Jill	Charlotte
Branham, Katherine	Heery, Lee	Gastonia
Brown, Lisa	Pollock, David	Winston-Salem
Carter, Carole	Crane, Steven	Hendersonville
Carter, Lavonia	Hart, Robert III	Vale
Dix, Patricia	Ferguson, Steven	Powellesville

Frost, Hali
Gonder, Angela
Henley, Marlene
Hilton, Allyson
Howard, Sandy
Kasten, Pamela
Land, Stephanie
Martin, Nanette
Meyers, JoAnne
Oxford, William
Parekh, Rajul
Propst, Katherine
Williams, Dolores
Yousey, Yvonne

Goldberg, Joel
Clay, Henry
Smith, R David
Sanchez, Alex
Lawrence, Mark
Rathbun, Mary Anne
Wood, Karen
Echterling, Susan
Husain, Aatif
Price, Amy
Sanders, William Jr.
Amin, Saad
Melton, Kenneth
Garmon-Brown, Ophelia

Durham
Jefferson
Fayetteville
Kings Mountain
Waynesville
Charlotte
Chapel Hill
Charlotte
Durham
Pikeville
Chapel Hill
Scotland Neck
Fayetteville
Charlotte

NP - Subsequent Applications administratively approved-

NURSE PRACTITIONER

Amyot, Amy
Barrett, Kristi
Barroso, Julie
Clapp, Patricia
Coes, Toni
Coes, Toni
Collie, Mattie
Donelan, Jennifer
Donta, Robin
Farringer, Gina
Forney, Deborah
Forney, Deborah
Fossett, Denise
Galbraith, Joan
Gamble, Virginia
Hayes, Helen
Hendrick, Diann
Hendrick, Diann
Hendrick, Diann
Hogan, Karen
Hunter, Laura
Huntsinger, Lisa
Irving, Sharon
Kelly, Loretta
Khoune, Ana
Marshburn, Norma
McSwain, Teresa
Mondi, Pamela
Moynahan, Mary
Osterloh, Catherine
Osterloh, Catherine
Packard, Mark

PRIMARY SUPERVISOR

Kaplan, Richard
Yarnall, Kimberly
Bartlett, John
Hedrick, James
Bernstein, Daniel
Gaunt, George Jr.
Ferguson, Jennifer
Sotolongo, Carlos
Clayton, Christy
Clayton, Christy
Clements, Thad
Rupe, Carol
Pridgen, James
Tyler, Douglas
Perciaccante, James
Park, Yoosun
Bradley, George Jr.
Perkins, Robert
Smith, Melanie
Jubane, Alan
Lessmann, Erik
Smith, Brian
Moore, Barry
Holland, James
Lutman, Christopher
Apolinario, Arthur
Perkins, Robert
Simpson, Patrick
Phillips, Delana
Coppage, Kevin
Kothadia, Jamanadas
Markovic-Plese, Silva

PRACTICE CITY

Greensboro
Durham
Durham
Burlington
Concord
Concord
Greenville
Durham
Cary
Cary
Charlotte
Charlotte
Wilmington
Durham
Raleigh
Charlotte
Cherryville
Shelby
Shelby
Shelby
Bryson City
Shelby
Wilmington
Winston-Salem
Raleigh
Harrells
Shelby
Pinehurst
Manteo
Gastonia
Charlotte
Chapel Hill

Proctor, Cheryl
Ray, Donna
Ruffy, Kim
Satterfield, Sandra
Shanley, John Jr.
Smith, Marilyn
Stevens, Veronica
Taylor, Kay
Taylor-Miller, Bertha
Triplett, Debra
Vinzani, Catherine
Wheeler, Janice
Whisnant, Danny
Wilson, Natalie

Flick, Conrad
Carter, Kenneth
Carter, Lawrence Jr.
Jones, Robert
Reed, John
Jones, Robert
Janssen, Shelly
Harrison, Frank Jr.
Wells, Wendell
Hart, R Eric
Sigmon, James
McManus, Mark
Voulgaropoulos, Menelaos
Taiwo, Babafemi

Raleigh
Charlotte
Hickory
Charlotte
Fayetteville
Charlotte
Clinton
Charlotte
Warsaw
Hickory
Wilson
Morganton
Statesville
Durham

Clinical Pharmacist Practitioner Applications-

CPP
Blount, Kennedy
Jacobs, Michelle
Jacobs, Michelle
Jacobs, Michelle

PRIMARY SUPERVISOR
Brooks, Clyde Jr.
Christensen, Jeness
Drabick, Andrew
Bowen, Janet

PRACTICE CITY
Greenville
Raleigh
Raleigh
Raleigh

Clinical Pharmacist Practitioner Change in CPP Agreement

CPP
McClain, Stephanie

PRIMARY SUPERVISOR
Smith, Barbara

PRACTICE CITY
Greensboro

PA ADVISORY COUNCIL MINUTES

April 23, 2003 2:00pm

Attending: Robin Hunter-Buskey, Michael Norins, Ashley Marion, Lisa Shock, Lanny Parker, Paul Hendrix, E.K. Fretwell, Justine Strand, Jim Hill, Debbie Houser, Jim Irion, Wayne VonSeggen, Douglas Hammer, H Arthur McCullouch, Jennifer Duckett, Alexa Kapetanakis

October 2002 Minutes

- Mr. Lanny Parker rephrased section II C Statute change regarding PA/NP Board Seat to correctly reflect the conversation at the October meeting. Minutes will not be approved until all PAAC members read and agree with the new minutes.

Additions to the Agenda

- No additions

PA Proposed Rules Change Update

- Ms. Hunter-Buskey shared background information about the deletion of 21 NCAC 32S.0106(b).

Member Contact List vs. Mailing List

- Ms. Hunter-Buskey shared with the PAAC that there are people outside of this group that are still stakeholders. Those stakeholders include Medical Society staff, NCAPA

staff, and PA programs that are not presently represented on the PAAC. This group will be receiving information regarding the time/place of meetings and agenda items.

- Ms. Hunter-Buskey asks to be forwarded any other suggestions for the mailing list.
- It is suggested by the PAAC that these people be placed on the mass mailing list for any new minutes or agendas posted to the website.

*Staff will check for that possibility

Reconsider PAAC Composition

- The Council does not feel that its composition is in need of reconsideration.

PA Temporary Licensure

- Justine Strand shared the history of PA temporary licensure, reminding the PAAC that a primary reason for taking away temporary licensure in 2002 was because the NCCPA was going to offer the PANCE 52 weeks of the year. The NCCPA passed a policy not letting PA's take the PANCE until they graduate. This policy presses the PA Program Directors to move the date of completion so that their students can sit for the exam at an earlier date. Ms. Strand's ideal situation would be availability for a six month temporary licensure.
- Paul Hendrix shared information on the surgical resident training program that he directs and expresses his desire for a six month temporary licensure or training license.
- Mr. VonSeggen opposes the proposed availability for temporary licensure.
- Ms. Hunter-Buskey reports that a training license would require a statutory change and would not be probable.
- Suggestions included coordinating Board deadline dates with PA program completion dates, and communication between the NCCPA and the Board.
- Ms. Hunter-Buskey closes the discussion by suggesting a work group, consisting of 5 programs in the state and staff, be composed. This group can explore ideas to make the licensing process as quick and easy as possible.

Next Meeting Date

- October 15, 2003

PA ADVISORY COUNCIL MINUTES

October 15, 2003 10:00am

Attending: Robin Hunter-Buskey, Michael Norins, E.K Fretwell, Ashley Marion, Lisa Shock, Paul Hendrix, Justine Strand, Jim Hill, Wayne VonSeggen, Douglas Hammer, Marc Katz, Jennifer Hedgepeth, Bill Vaassen, Marcus Jimison, Alexa Kapetanakis

April 2003 Minutes – The committee accepted the April 2003 minutes with the change in the third item from “PA Rule Change Update” to “PA Proposed Rule Change Update,” clarifying that the deletion of 21 NCAC 32S.0106(b) was a change in the proposed rules and not in the current rules.

Additions to the Agenda – Temporary licensure (addressed in the discussion of the similarities/differences of the PA and NP rules)

Update on PA Proposed Rule Changes – Mr. Jimison informed the members of the status of proposed rule change. The notice of text has been filed, and the Public Hearing date is October

October 15-17, 2003

20, 2003 at 10am at the NCMB office. The comment period ends on December 1, 2003. If the rules are passed through the rules commission, the new rules will be effective March 1, 2004.

Copies of the proposed rules were distributed.

Similarities/Differences with current NP and PA rules – Ms. Hunter-Buskey informed the members of the specific issue that are currently being considered for change in the NP rules. One of the major issues for the PA's is the un-level playing field in regards to temporary licensure. Dr. Hammer suggests we look at the allowance of other trades to begin work in a temporary status.

Ms. Strand speaks on the portability of title issue in regards to discipline. The discipline of Nurse Practitioner's compared to the discipline of PA's was discussed.

A document showing these similarities and differences with the rules will be distributed via email.

Letter from the ARC-PA – The letter from the ARC-PA asking for suggestions on PA curriculum and the current education standards were distributed. Ms. Strand noted how wellness and substance abuse were topics that could be included.

*Ms. Hunter-Buskey informed the PAAC of the PA Program Directors meeting that will be held in February.

Next Meeting Date – April 21, 2004

Motion: A motion passed to approve the PAAC report, the Committee report and the vote list as presented.

LICENSING COMMITTEE REPORT

Robert Moffatt, MD, Chair; E.K. Fretwell, PhD; Robin Hunter-Buskey, PAC; Edwin Swann, MD;
George Saunders, MD

AMA Profile Incomplete Training

Catchline: To meet JCAHO requirements the AMA added ****Incomplete Training**** as a part of the AMA profile In June 2003. How does the Board want staff to handle this issue when it arises?

BOARD ACTION: Request the applicant provide a written statement of the reason the training was incomplete and confirm this information with the training program. If the reason is for disciplinary or substandard performance, request a copy of the applicant's evaluations.

Board Agents

Catchline: Are Board Agents required to have an active license in order to remain a Board Agent and conduct license interviews?

BOARD ACTION: Physician Board Agents are not required to have an active license.

Question regarding criminal convictions (#2 on Application Form)

BOARD ACTION: Change question 7 on the Oral Question sheet to read the same as question 2 on the application form – "Have you ever been convicted of, pled guilty to, pled no contest or received a prayer for judgment-continued, to a violation of a federal, state, or local law including any and all traffic violations?"

Motion: A motion passed to approve the report as amended.

SPLIT BOARD LICENSURE INTERVIEWS

A motion passed to close the session to investigate, examine, or determine the character and other qualifications of applicants for professional licenses or certificates while meeting with respect to individual applicants for such licenses or certificates.

Thirteen licensure interviews were conducted. A written report was presented for the Board's review. The Board adopted the Committee's recommendation to approve the written report. The specifics of this report are not included because these actions are not public information.

A motion passed to return to open session.

APPLICANTS PRESENTED TO THE BOARD

Tawfiq Gordy Alam	Jeffrey Michael Ferranti	Walter Eric Loch
Mir Mumtaz Ali	Michael Harold Finlon	David Carl Luoma
Richard K Archer Jr	Mark William Galland	Erwin Marc Manalo
James Gordon Arnold	Richard Curtis Galyon	Tobin Anne McGowen
Sohail Imran Aslam	Kevin Charles Geer	Raj Kumar Mehta
Jennifer Lee Benjamin-Watkins	Daniel James George	Julia Diane Melanson
Cammy Renae Benton	Edward Lee Giaroli	Audrea Kay Merchant
Sukanto Biswas	Jamie Christopher Goodman	Edward Bruce Miedema
Patrick Thomas Boylan	Cecilia Bernadette Gordon	Adrian Scott Morales
Lisa Jeanne Brancato	Robert Thaddeus Grant	David Clarence Morris
Dan Charles Breece	Francis Gerald Gress	Enchanta Lachelle Murphy
Thomas Edmund Brewer, Jr.	Chanda Annette Griessel	Stephen Phillip Murphy
Nancy Brous	Sandra Liliana Hall	Sherif George Naguib
Coleman Jackson Bryan Jr.	David Earl Hargroder	Shamsun Nahar
Maria Cecilia Santos Canlas	Richard Davis Hart	Orlando Nieves Gonzalez
Joel Balbuena Capucao	Amy Elizabeth Hedges	Linda Lee Northam
Lynn Suzanne Carlson	Howard David Homesley Jr.	Steven Gregory O'Mara
Gene Ammon Carpenter II	Marcelo Gabriel Horenstein	Anita Gangaram Patel
Homer Shannon Carson III	Jonathan Charles Hundley	Karl Lyndell Pete
Edward William Cheeseman Jr.	Christopher Brian Isenhour	David Allen Phillips
Andrea Lynne Cherrington	Thomas Steven Ivester	Vinod Kumar Prasad
Christopher Todd Clark	Manoj Kumar Jain	Karl Henry Quist-Therson
Kelly Jean Clark	Gina Cottle Jayawant	Amer Shahzad Hassan Qureshi
Adi Cohen	Beth Ann Jayne	Ramakrishna Pemmaraju Rao
David Louis Cohen	Ravi Ramesh Jhaveri	Mary Kim Rodine
Scott Michael Croll	Ali Khoynezhad	Michael John Rosner
Tracy Denise Davis	Kyle Adam Krehbiel	Mary Kay Ross
Beatrice Smith Desper	Adrian Kedward Lamballe	Seyed Hessam Saadat
Richard Michael DonDiego	Thomas Matthew Large	Charles Carr Schirmer
Christopher Sebastian Dupre-Rios	Jonathon Andrew Lee	Kimberly Anne Selzman
Chad Raynard Eller	David Francis Lelio	Lara Setti
Vaishali Gupta Escaravage	Joshua Eric Levine	Shilpa Ramesh Shah
Mouhamed Iyad Fakhri	Qi Li	Homa Shahnawaz
	Nha Thanh Lien	Qing Shen

Monson Shuh
Michael Patrick Shusko
Robert Slater
Timothy Peter Sloand
Michael Lantry Smith
Thomas Jerome Snyder
Steven Carl Spruill
Shelley Rae Stanton
Joan Marie Stroud
Gashaw Tedla Tafari

Benoit Deki Kouame Tano
Joshua Brian Tew
Anita Joyce Thomas
Teresa Michele Thompson
Amy Coe Tiu
Luan Van Tran
Christopher Makoto Tsueda
Roberta Virginia Turner
Adrian Eduardo Varela
Nadia Sophia Wang

John Logan Ward Sr.
Jonathan Lance White
William Barton White
Heather Elizabeth Whitson
Robert Ernest Williams
Tadeusz Kazimierz Wodecki
Jessica Margaret Wrigh

LICENSES APPROVED BY ENDORSEMENT AND EXAM

Tawfiq Gordy Alam
Mir Mumtaz Ali
Richard K Archer Jr
James Gordon Arnold
Sohail Imran Aslam
Jennifer Lee Benjamin-Watkins
Cammy Renae Benton
Sukanto Biswas
Patrick Thomas Boylan
Lisa Jeanne Brancato
Dan Charles Breece
Nancy Brous
Coleman Jackson Bryan Jr.
Maria Cecilia Santos Canlas
Joel Balbuena Capucao
Lynn Suzanne Carlson
Gene Ammon Carpenter II
Homer Shannon Carson III
Edward William Cheeseman Jr.
Andrea Lynne Cherrington
Christopher Todd Clark
Kelly Jean Clark
Adi Cohen
David Louis Cohen
Scott Michael Croll
Christopher Sebastian Dupre-Rios
Chad Raynard Eller
Vaishali Gupta Escaravage
Mouhamed Iyad Fakhri
Jeffrey Michael Ferranti
Michael Harold Finlon
Mark William Galland
Kevin Charles Geer
Daniel James George
Edward Lee Giaroli
Jamie Christopher Goodman
Cecilia Bernadette Gordon
Robert Thaddeus Grant

Francis Gerald Gress
Chanda Annette Griessel
Sandra Liliana Hall
David Earl Hargroder
Amy Elizabeth Hedges
Howard David Homesley Jr.
Jonathan Charles Hundley
Christopher Brian Isenhour
Thomas Steven Ivester
Manoj Kumar Jain
Gina Cottle Jayawant
Beth Ann Jayne
Ravi Ramesh Jhaveri
Ali Khoyneshad
Kyle Adam Krehbiel
Adrian Kedward Lamballe
Thomas Matthew Large
Jonathon Andrew Lee
David Francis Lelio
Joshua Eric Levine
Qi Li
Nha Thanh Lien
Walter Eric Loch
David Carl Luoma
Erwin Marc Manalo
Tobin Anne McGowen
Raj Kumar Mehta
Julia Diane Melanson
Edward Bruce Miedema
Adrian Scott Morales
David Clarence Morris
Enchanta Lachelle Murphy
Stephen Phillip Murphy
Orlando Nieves Gonzalez
Linda Lee Northam
Steven Gregory O'Mara
Anita Gangaram Patel
Karl Lyndell Pete

David Allen Phillips
Vinod Kumar Prasad
Karl Henry Quist-Therson
Amer Shahzad Hassan Qureshi
Ramakrishna Pemmaraju Rao
Mary Kay Ross
Seyed Hessam Saadat
Charles Carr Schirmer
Kimberly Anne Selzman
Lara Setti
Shilpa Ramesh Shah
Homa Shahnawaz
Qing Shen
Monson Shuh
Michael Patrick Shusko
Robert Slater
Michael Lantry Smith
Thomas Jerome Snyder
Steven Carl Spruill
Shelley Rae Stanton
Benoit Deki Kouame Tano

Joshua Brian Tew
Teresa Michele Thompson
Amy Coe Tiu
Luan Van Tran
Christopher Makoto Tsueda
Roberta Virginia Turner
Adrian Eduardo Varela
Nadia Sophia Wang
John Logan Ward Sr.
Jonathan Lance White
Heather Elizabeth Whitson
Robert Ernest Williams
Jessica Margaret Wright

APPLICANTS FOR REINSTATEMENT

Sherif George Naguib
Gashaw Tedla Tafari
William Barton White
Marcelo Gabriel Horenstein

COMPLAINT COMMITTEE REPORT

Aloysius Walsh; Edwin Swann, MD; Walter Pories, MD; George Saunders, MD

A motion passed to close the session to prevent the disclosure of information that is confidential pursuant to sections 90-8, 90-14, 90-16, and 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.

The Complaint Committee reported on 51 complaint cases. A written report was presented for the Board's review. The Board adopted the Committee's recommendation to approve the written report. The specifics of this report are not included because these actions are not public information.

A motion passed to return to open session.

INVESTIGATIVE COMMITTEE REPORT

Stephen Herring, MD; Arthur McCulloch; Charles Garrett, MD; Robert Moffatt, MD; Shikha Sinha

A motion passed to close the session to prevent the disclosure of information that is confidential pursuant to sections 90-8, 90-14, 90-16, and 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.

The Investigative Committee reported on 27 investigative cases. A written report was presented for the Board's review. The Board adopted the Committee's recommendation to approve the written report. The specifics of this report are not included because these actions are not public information.

A motion passed to return to open session.

DISCIPLINARY GUIDELINES - APPROVED

10/16/03 INVESTIGATIVE COMMITTEE REPORT

THE NORTH CAROLINA MEDICAL BOARD
DISCIPLINARY GUIDELINES

These disciplinary guidelines have been devised to promote consistency in sanctions imposed by the Board, to lend credibility to the disciplinary process and to aid the Board in their ultimate goal of public protection. They are used for reference and guidance only and are not binding on the Board. The Board recognizes that each case has individual facts and circumstances that distinguish it from other cases of the same nature and the Board agrees to consider all mitigating and aggravating factors specific to a case before determining the appropriate sanction. These guidelines will be used to neutralize unwarranted inconsistencies and improve the efficiency of the Board.

VIOLATIONS

1. Improper Prescribing, Dispensing, or Administering of Controlled Substances
2. A Violation of a Law Involving the Practice of Medicine
3. Criminal Acts or Convictions
4. Practicing Below the Minimum Standard of Care
5. Boundary Violations
6. Inadequate Record Keeping
7. Ethics Violations
8. Out of State Adverse Actions
9. Inability to Practice Due to an Addiction
10. Violation of Consent Order
11. Fraud, Misrepresentation, or Deception
12. Failure to file the Appropriate Paperwork with the Board.
13. Failure to comply with a Board Order.

IMPROPER PRESCRIBING, DISPENSING OR ADMINISTERING CONTROLLED SUBSTANCES.

Presumptive Maximum Discipline: Revocation of license

Presumptive Minimum Discipline: Private Letter of Concern

A VIOLATION OF A LAW INVOLVING THE PRACTICE OF MEDICINE

FELONY

Presumptive Maximum Discipline: Revocation of license

Presumptive Minimum Discipline: Indefinite Suspension of license

MISDEMEANOR

Presumptive Maximum Discipline: Revocation of license

Presumptive Minimum Discipline: Public Reprimand

CRIMINAL ACTS AND CONVICTIONS

FELONY

Presumptive Maximum Discipline: Revocation of license

Presumptive Minimum Discipline: Indefinite suspension of license

MORAL TURPITUDE

Presumptive Maximum Penalty: Revocation of medical license

Presumptive Minimum Penalty: Reprimand

MISDEMEANOR

Presumptive Maximum Discipline: Revocation of license

Presumptive Minimum Discipline: Private Letter of Concern

PRACTICING BELOW THE MINIMUM STANDARD OF CARE

Presumptive Maximum Discipline: Revocation of license

Presumptive Minimum Discipline: Stayed suspension of license

BOUNDARY VIOLATIONS

Presumptive Maximum Discipline: Revocation of license

Presumptive Minimum Discipline: Stayed Suspension of license

INADEQUATE RECORDKEEPING

Presumptive Maximum Discipline: Indefinite Suspension of license

Presumptive Minimum Discipline: Private Letter of Concern

ETHICS VIOLATIONS

Presumptive Maximum Discipline: Indefinite Suspension of license

Presumptive Minimum Discipline: Private Letter of Concern

OUT OF STATE ADVERSE ACTIONS

Presumptive Maximum Discipline: Revocation of license

Presumptive Minimum Discipline: Private Letter of Concern

INABILITY TO PRACTICE DUE TO AN ADDICTION

Presumptive Maximum Discipline: Revocation of license

Presumptive Minimum Discipline: Suspension of license

VIOLATION OF A CONSENT ORDER

Presumptive Maximum Discipline: Revocation of license

Presumptive Minimum Discipline: Stayed Suspension of license

FRAUD, MISREPRESENTATION OF DECEPTION

Presumptive Maximum Discipline: Revocation of license

Presumptive Minimum Discipline: Public Reprimand

FAILURE TO FILE THE APPROPRIATE PAPERWORK WITH THE BOARD

Presumptive Maximum Discipline: Public Reprimand

Presumptive Minimum Discipline: Private Letter of Concern

FAILURE TO COMPLY WITH A BOARD ORDER

Presumptive Maximum Discipline: Revocation of license

Presumptive Minimum Discipline: Public Reprimand

After a violation of the North Carolina Medical Practice Act has been established, the Board may consider aggravating and mitigating circumstances in deciding the appropriate discipline. The aggravating and mitigating factors set forth below are some of the factors the Board may consider. The Board may take into consideration other factors in aggravation or mitigation offered by the parties.

AGGRAVATING FACTORS

1. Prior disciplinary actions

2. Patient harm
3. Dishonest or selfish motive
4. Submission of false evidence, false statements, or other deceptive practices during the disciplinary process
5. Vulnerability of victim
6. Refusal to admit wrongful nature of conduct
7. Willful or reckless misconduct
8. Pattern of misconduct (repeated instances of the same misconduct)
9. Multiple offenses (more than one instance of different misconduct)

MITIGATING FACTORS

1. Absence of a prior disciplinary record
2. No direct patient harm
3. Absence of a dishonest or selfish motive
4. Full cooperation with the Board
5. Physical or mental disability or impairment
6. Rehabilitation or remedial measures
7. Remorse
8. Remoteness of prior discipline

RECOMMENDATIONS FOR ANONYMOUS COMPLAINTS - APPROVED

10/16/03 INVESTIGATIVE COMMITTEE REPORT

POLICY

Anonymous complaints must be submitted in writing.

Patient complaints will not be accepted if the complainant desires to remain anonymous.

Non-patient, anonymous complainants, who will not testify, must supply detailed and specific information sufficient for verification.

An anonymous complainant will be read the Confidentiality Disclaimer and informed that a request for total anonymity cannot be honored.

The identity of the anonymous complainant, if known, will not be revealed nor disclosed during the investigative process nor will a copy of the complaint be disseminated.

Anonymous complainants will not be provided any information relative to the initiation or status of an investigation nor will they be advised of any relevant board action.

PROCEDURE

All written anonymous complaints will be forwarded directly to the Investigations Department.

An anonymous filing system, organized alphabetically by licensee, will be maintained by the Director of Investigations in a secure location.

Complainants that are known, but desire to remain anonymous, will be entered into LiNC and identified by a number (ANON-03-1). The identities of these complainants will be maintained by the Director of Investigations in a secure location.

A copy of the written anonymous complaint will be included in the investigative report as an attachment.

Investigators will advise all anonymous complainants to forward their written complaint to the Director of Investigations.

The Director of Investigations will advise appropriate investigators of all information received from anonymous complainants.

Anonymous complainants will be encouraged to contact the Director of Investigations by telephone within ten days of submitting their written complaint in order that they can be asked additional questions.

INFORMAL INTERVIEW REPORT

A motion passed to close the session to prevent the disclosure of information that is confidential pursuant to sections 90-8, 90-14, 90-16 and 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.

Twenty-one informal interviews were conducted. A written report was presented for the Board's review. The Board adopted the Split Boards' recommendations and approved the written report as modified. The specifics of this report are not included because these actions are not public information.

A motion passed to return to open session.

MALPRACTICE COMMITTEE REPORT

Aloysius Walsh; Edwin Swann, MD; Walter Pories, MD; George Saunders, MD

A motion passed to close the session to prevent the disclosure of information that is confidential pursuant to sections 90-8, 90-14, 90-16, and 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.

The Malpractice Committee reported on 18 cases. A written report was presented for the Board's review. The Board adopted the committee's recommendation to approve the written report. The specifics of this report are not included as these actions are not public information.

A motion passed to return to open session.

MEDICAL EXAMINER COMMITTEE REPORT

Aloysius Walsh; Edwin Swann, MD; Walter Pories, MD; George Saunders, MD

A motion passed to close the session to prevent the disclosure of information that is confidential pursuant to sections 90-8, 90-14, 90-16, and 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.

The Medical Examiner Committee reported on four cases. A written report was presented for the Board's review. The Board adopted the committee's recommendation to approve the written report. The specifics of this report are not included as these actions are not public information.

A motion passed to return to open session.

ADJOURNMENT

This meeting was adjourned on October 17, 2003.

Robert C. Moffatt, MD
Secretary