

**SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING & REGULATION  
BEFORE THE SOUTH CAROLINA BOARD OF MEDICAL EXAMINERS**

**IN THE MATTER OF:**

**VIRGINIA ALICE FULLER, M.D.**  
License No.: LL34928

Respondent.

Case No.: 2013-159

**FINAL ORDER**

This matter came before the South Carolina Board of Medical Examiners (the "Board") for hearing on August 6, 2013, to consider a Memorandum of Agreement and Stipulations ("MOA") signed by Respondent on July 25, 2013. In the MOA, Respondent waived the authorization and filing of a Formal Complaint as well as formal hearing procedures (including a Panel Report of the Medical Disciplinary Commission) and elected to dispose of the matter pursuant to S.C. Code Ann. § 1-23-320(f). Respondent also waived the right to thirty (30) days' notice of this proceeding.

A quorum of the Board was present. The hearing was held pursuant to S.C. Code Ann. §§40-1-90, 40-47-116, 40-47-117 and the provisions of the Administrative Procedures Act, S.C. Code Ann. §1-23-10, *et seq.* (1976 as amended) to determine what sanctions, if any, were appropriate.

Pat Hanks, Assistant General Counsel, represented the State. The Respondent was present and represented by Geoffrey K. Chambers, Esquire. Dr. Charles Carter, Director of the Family Medicine residency program for Palmetto Health Richland and Chris McCoy, with the South Carolina Recovering Professionals Program also testified.

A motion was made, which passed, to close the hearing. After consideration, the Board voted to accept the MOA, with the sanctions specified in this Order.

**FINDINGS OF FACT**

In the MOA, Respondent stipulated to and admitted the following facts either directly or through incorporation by reference of documents attached to the MOA:

1. The Respondent is duly licensed to practice medicine in South Carolina under license number LL34928, first licensed by the Board on or about July 1, 2012. The Respondent's credential status with the Board is active.
2. Respondent self-reported her violation to the Board on or about April 12, 2013, and provided an addendum thereto on or about May 2, 2013.

3. Respondent admits that in August 2012, Respondent agreed to allow her friend (a practitioner) to write prescriptions for her. Respondent filled the prescriptions and shipped the medications to the same friend who wrote the prescriptions.
4. In about November 2012, Respondent realized that her friend may be addicted to the medications and began to decrease her involvement. Respondent subsequently called in prescriptions for Hydrocodone-acetaminophen for her friend in both January and February 2013.
5. On or about February 19, 2013, Respondent stopped all involvement with her friend's prescription scheme.
6. Respondent was arrested by the South Carolina Department of Health and Environmental Control (hereinafter "DHEC") on or about April 23, 2013, and was charged with Unlawfully Obtaining a Controlled Substance.
7. On or about May 24, 2013, Respondent enrolled with the South Carolina Recovering Professionals Program ("RPP"). RPP referred Respondent for an inpatient evaluation ("Evaluation"). The Evaluation ruled out a drug dependence, alcohol abuse and attention deficit disorder, but found other issues of concern that could impact Respondent's prescribing behavior and professional boundaries. The Evaluation recommended, among other things, a treatment program, professional monitoring by and compliance with RPP for a minimum of two years, and completion of medical education courses on Prescribing Ethics and Professional Boundaries.

At the hearing, Respondent, Dr. Carter and Chris McCoy testified to additional facts, and mitigating circumstances, including, but not limited to the following:

8. Respondent has always wanted to be a physician. Respondent was a first year resident at Palmetto Richland hospital in Columbia, South Carolina prior to her arrest. Respondent was suspended at the time of her arrest and is now on unpaid administrative leave. Dr. Carter testified Palmetto Richland supports Respondent's return to the residency program and is prepared to return her to a training environment on a level of remediation with a greater degree of oversight of her practice for the next year.
9. Respondent has been fully cooperative. DHEC has requested she conduct an educational seminar for her peers.
10. Respondent believes her poor decision was not impacted by medication or alcohol use, rather by being improperly influenced by a friend whom she should not have trusted.
11. The State incurred reasonable investigative costs of \$120 in this matter.

## CONCLUSIONS OF LAW

1. In the MOA, the Respondent admitted the foregoing factual admissions constituted sanctionable misconduct in violation of one or more of the following statutes: S.C. Code of Laws Ann. §§ 40-1-110(1)(f), (g) and (k) and 40-47-110(B)(9), (14), and (17) (as amended).
2. The Board has jurisdiction in this matter and, upon finding that a licensee has violated any of the provisions of S.C. Code Ann. § 40-47-110 and 40-1-110, has the authority to cancel, fine, suspend, revoke, issue a public reprimand or private reprimand, or restrict, including probation or other reasonable action, such as requiring additional education or training or limitation on practice, the authorization to practice of a person who has engaged in misconduct. Additionally, the Board may require the licensee to pay a fine of up to twenty-five thousand dollars. S.C. Code Ann. §40-47-120.
3. Additionally, the Board may require the licensee to pay the costs of the disciplinary action. S.C. Code Ann. §§ 40-1-170 and 40-47-170 (1976, as amended).
4. The sanction imposed is consistent with the purpose of these proceedings and has been made after weighing the public interest and the need for the continuing services of qualified medical doctors against the countervailing concern that society be protected from professional ineptitude and misconduct.
5. The sanction imposed is designed not to punish the physician, but to protect the life, health, and welfare of the people at large.

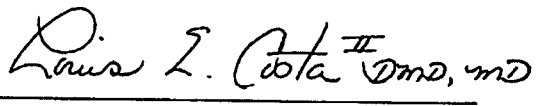
### **NOW, THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED that:**

1. The Board accepts the Memorandum of Agreement and Stipulations signed by the Respondent.
2. The Respondent is publicly reprimanded.
3. Respondent's license to practice medicine is suspended, but such suspension is immediately stayed and Respondent is placed on probation subject to each of the following conditions:
  - (a) Respondent shall comply with all treatment recommendations of the Evaluation, including participation in a residential treatment program for Co-Dependency and following all continuing care recommendations of that provider.
  - (b) Respondent shall undergo continuing Co-Dependency treatment with Dr. Ruben for two years with quarterly reports provided by Dr. Ruben to the Board.
  - (c) Respondent shall participate in and comply with all RPP requirements for a minimum of two years.

- (d) Respondent shall successfully complete Board approved continuing medical education courses on Prescribing Ethics and Professional Boundaries courses within six months of the effective date of this Final Order.
  - (e) Respondent's supervising physician for her residency program (presently Dr. Carter) shall submit quarterly reports on Respondent's performance to the Board until further order of the Board.
  - (f) Respondent shall pay investigative costs in this matter of \$120.00 within 180 days of the effective date of this Order.
  - (g) Respondent shall appear before this Board for a review in one year.
4. This Final Order shall take effect upon service on the Respondent.

**AND IT IS SO ORDERED.**

**STATE BOARD OF MEDICAL EXAMINERS**

By:   
**Louis E. Costa II, D.M.D., M.D.**  
**President of the Board**

Date: October 8, 2013