

## **Boundary Issues;**

1/12/2012; Public Letter of Concern; prescribing controlled substances to close family members with inadequate documentation

Hope Mills NC  
NCMS

1/9/2012 Public Letter of Concern; PA was prescribing undocumented medications (not controlled substances) to Dr. Ferguson

Smithfield NC

2/16/2012; Consent Order for Indefinite suspension for writing Rx's to coworkers and inadequate record keeping, may request re-entry in 6 months

Chesapeake VA

2/2010; Hugged a coworker in hospital, she felt it was a "sexual" offense

2/2010; 30d suspension at hospital

2/2010; VAMB Reprimanded physician

7/2010; Surrendered NC License

2/14/2012; Public Letter of Concern due to above actions

Safat 13007 Kuwait UAE

11/2010; Conducted breast exam on patient "A" during post-op office visit without chaperone present, Patient thought he was inappropriately touching her.

1/2011; Patient "B" complained of inappropriate language use

2/16/2012; Consent Order six month suspension/immediately stayed, must attend boundaries course and must have chaperone present for all exams on female patients.

Greensboro NC

2/1/2012; Voluntarily surrendered license.

2/2013; All criminal charges dismissed

5/2013; Consent Order; Indefinite Suspension. Finds that he entered adult-only chat room where he contacted a purported 14 year old whom he spoke sexually to and arranged to meet her, it was sting set up by the Guilford County Sheriff's office. Consent Order also requiring PSY Eval within 6 months.

8/5/14 Amended Consent Order

RTL reinstated after he was soliciting 14 yo for sex and busted by Cumberland County Sheriffs office and now under NCPHP contract.

Charlotte

NCMS

4/9/12 Consent Order for Reprimand and \$3000 fine

For having a relationship with Patient "A" who was seeing his PA, so therefore was indirectly the physician's patient.

Savannah GA

4/9/12 Public Letter of Concern due to incident in GA

GA Medical Board is investigating him for writing controlled substances to a patient that he had an inappropriate relationship with, 40 counts of unlawful prescribing, GA license inactivated since 2009

Jamestown NC

1/2010 Consent Order/indefinite suspension, given NCPHP contract and 8 week treatment. He had been taking Ritalin prescribed by his physician for his ADD, he wrote himself a Rx for it under a family members name

3/2011 Consent Order allowing return to work

4/4/2012 Consent Order relieved

**\*\*\*Extremely harsh treatment, Reprimand would have been adequate, why did he need "treatment"**

Mount Olive NC

4/20/12 Consent Order on Probation 2' to prescribing for family members and poor charting.

Prescribing for spouse without recording, had classes, charts were still poorly done after training

Nags Head

2009-2011 Patient "A" relationship with mother of one of his patients, he brought her a car, treated this woman's children from 2008-2011.

10/2010-2/2011 Patient "B" was the mother of one of his patients. His boss put him on a two week leave of absence while he went to the NCPHP where he was assessed, advised to have a more in-depth assessment

11/2011 Told he had to take a boundary course

12/9/11 NPA given

12/12/11 thru 2/17/12 Intensive outpatient treatment for boundary issues

5/24/2012 indefinite suspension given

5/31/12 Public Letter of Concern

8/15/13 Temporary Medical License by Consent Order must continue within NCPHP

**\*\*\*Technically this guy didn't have a relationship with a patient. Medical ethics prohibit sexual relationships with patients, he had it with a parent. This cost him two and a half years out of work!**

Greensboro

1/2009 NCMB charged with giving Rx's to employee, knowingly for her estranged husband who commits suicide. Investigators see his name on victims Rx bottles

3/2009 Suspended for 4 months, stayed for all but 1 month, told to take Ethics class

2/2010 Reprimanded for not taking the ethics class

6/14/2012 Relief from original consent order

Grover NC

9/2005 became acquainted with patient and started treating him and included wife in sessions. Patient's wife died suddenly

10/2006 stopped seeing Pt. "A" that patient "A" was ready to stop therapy but not clearly terminating the physician-pt relationship. Several weeks later saw pt socially, developed a relationship and started to re-prescribe controlled and non-controlled medications for "former" pt that she was in a relationship with.

Referred to NCPHP then Acumen.

12/2007; Indefinite suspension of license

11/2008; Requested reinstatement; denied because she had married the pt. which they felt put her at future risk of boundary violations.

2/2009; requested hearing

7/12/12; Given consent order to reinstate license to practice but not allowed to practice psychiatry.

**\*\*\* GROSS injustice! Public Letter or Reprimand would have been adequate!**

Goldsboro NC

7/19/12 Public Letter of Concern Re; inappropriate records and prescribing

Has close friendship with her female landlord whom she has a business venture, treats patient and gives controlled meds without keeping medical record.

Charlotte

10/2008 arranges to meet with a patient after work for a sexual encounter but he does not go as arranged

6/2012 Voluntary surrender of license when he finds out that he's being investigated by the NCMB for the above, fully cooperates, goes into rehab

10/5/2012 Consent Order Indefinite Suspension of license

**\*\*\* Harsh, where was the NCPHP?**

High Point NC

Physician since 1969 in High Point

8/2006 to 8/2010 Treated family members on occasion for non-emergent conditions with controlled substances.

Patients "A" through "G" for pain and other conditions from

1/2007 to 12/2010 with controlled substances

4/2012 Consent Order/Reprimand; May not prescribe Schedule II or III, must obtain a physician clinical competency assessment covering internal medicine and pain mgmt, patient care, medical knowledge, system based care and professionalism

12/17/2012 Amended Consent

1/2013 Relief of obligations of consent orders

Denver NC

NCMS

From 8/2010 to 6/2012 self-prescribed medications and to 2 members of immediate family, all but two of these were for non-controlled substances originally prescribed by other physicians, also prescribed controlled substances for 2 family members during this time.

12/14/12 Public Letter of Concern

**\*\*\* Very Light Sentence**

Bradenton FL

8/26/10 Consent Order/Reprimand, needs to take CME on boundaries

Licensed OB-GYN since 1979

7/2009 Patient "A" was asked out for a drink several times, making patient "A" uncomfortable, he denied anything to do with this

12/31/2010 Provider retires

7/2011 Patient complaint to NCMB that provider engaged in a romantic relationship with her after she saw her in office 1/2009. He states that they had a business relationship, not a romantic relationship, he admitted to prescribing Adipex and another non-controlled medications without conducting a physical or maintaining records on her

12/13/12 Board Reprimand/inactivates license

**\*\*\*Mismanagement, reprimand after retirement?**

Raleigh

2004 Reprimanded for practicing before licensed

1/2006 Consent Order/Reprimanded for making a substantial move of practice without notifying NCMB

2010 Inappropriate sexual relationship with Patient "A" whom he treated from 3/2009 to 6/2011, diagnosed, treated for ADHD, Bipolar, Panic attacks, Marijuana dependency, anxiety issues, sexual and work issues. Mr. Cassidy continued to prescribe multiple substances after she was no longer an official patient but they were the same medications she had been on while she was officially a patient. The prescriptions were not recorded in the patient charts

12/7/2012 Surrendered License

12/7/12 Indefinite suspension

**\*\*\*Extremely Harsh, Reprimand/Ethics CME would have been appropriate**

El Dorado Springs MO

MOMB suspended license and gave 7 years probation after his spouse claimed he had a sexual relationship with a patient in 2012, remanded to a Boundaries class.

1/24/13 NC Consent Order Medical License issued with conditions; NCPHP contract, no drugs/alcohol

Elkin NC

1/22/13 Public Letter of Concern for writing a controlled weight loss medication for a family member

Louisburg NC

10/2005 Dr. King discussed with several patients about his relationship with a former employee, she had resigned in 2004 from her position as a receptionist.

2005 Referred to NCPHP

6/2005 Had a formal evaluation by consultant to NCPHP; Professional Renewal Center

6/20-7/15/2005 PRC course

8/24-26/2005 Boundaries class at Vanderbilt University  
2005 Board Hearing, suspension for 2 years, all but 90 days stayed, NCPHP contract  
2/2/2013 Pre-signed scripts for controlled substances and other substances on more than one occasion, he was hospitalized due to personal health problems at this time.  
2/28/13 Consent Order, 60-day suspension stayed for all but 2 days and to pay \$3K fine  
**\*\*\*Harsh, CME class would have been better, possible Public Letter**

Arden NC

2002 Began a pain mgmt. practice which expanded then closed 9/2007 when he was treating 30 patients/d  
Illegible records/poor documentation  
Patient "A"- "D" records below acceptable standards  
Diverted Celebrex and Ultram to himself and Zoloft to himself  
2/2010 Consent Order for Suspension X 6 months immediately stayed with 1 year probation, required to complete a prescribing course, within 3 months of completion of the prescribing course will have another chart review by NCMB investigator  
2/6/13 Consent Order for Relief  
**\*\*\*Reprimand and CME would make more sense than a suspension, where was the NCPHP?**

Fayetteville NC

2/2009; Voluntary surrender of license  
6/2009; Consent Order states he wrote prescriptions for controlled substance Rx's without adequate exams; given indefinite suspension, had inappropriate physician-patient relationship  
2/2011; Ongoing counseling/monitoring with NCPHP, given temporary license but was never sent away for treatment  
1/19/2012; Renewed Temporary License  
1/2013; Unrestricted full license  
2/2013; Relieved of all consent order obligations

Elizabeth Town NC

2/20/12 NCMB received complaint Re; inappropriate relationship with Patient "A" whom he'd been treating for 4 years for pain, depression, insomnia, PTSD. Dr. Kim denies inappropriate relationship  
In 2012 patient called Dr. Kim on his cell phone, that she ha a burn that she would like him to look at. He met her in a hotel room and treated her for the burn but did not make any record of this. Mandated to take the class within 6 months  
3/13/2013 Consent Order for Reprimand  
**\*\*\*Why a reprimand? What did he do wrong? He didn't TREAT the burn with Rx meds!**

Hurdle Mills NC

10/7/12 self-reported that he had been treating/prescribing controlled substances to a family member; Patient "A" who has acute leukemia and complications from two bone marrow transplants, had been under the care of Mr. Iron's supervising physician. Over

time, Mr. Iron's began treating patient "A" with less supervision from his supervising physician, prescribing controlled meds from 7/4/07 through 9/16/12. Mr. Iron's sporadically prescribed Lorazepam 2 mg, Ritalin, Morphine Sulfate from 8/15/07-7/2009 and large quantities of Oxycodone 10 mg. He admits that not all of the prescriptions were documented.

3/12/13 Consent Order for 6 month stayed suspension and Reprimand

**\*\*\*The physician who allowed the PA to treat a relative was not supervising by allowing this. The only other thing wrong is that he didn't document the Rx's. He never admitted to taking them. A Reprimand would have been heavy discipline; Public Letter would have made sense, but a suspension?? Why??**

Oxford NC

4/8/13 Public Letter of Concern for prescribing controlled and non-controlled substances to family members and Tylenol#3 to a child that typically does not require controlled substances but he DID maintain a folder of prescriptions for his family members

Had issues going back to 1990s

**\*\*\* Very light discipline**

Ocean Isle Beach NC

5/30/13 Public Letter of Concern for prescribing controlled and non-controlled substances to family members.

Charlotte NC

2003 private letter of concern Re; allegation sexually assaulting a female employee  
2008 allegation by SCMB that you initiated sexual contact with a female patient during her office visit on two occasions.

2009 SCMB allegations of trading sex for medications

2010 Allegations that you raped a patient then gave her narcotics

3/29/10 entered a private agreement with SCMB agreeing to use a chaperone with 100% of your patients and that chaperone would counter-sign records, you would take a boundary course, continue to be monitored and submit to a polygraph exam every 6 months

2011 Investigation of emergency immediate suspension of SC medical license involving allegations of sexual assault in which he surrendered his SC license in 6/2011

2011 Investigation Re; allowing an unlicensed PA to practice medicine

12/3/12 Agreement to relinquish SC license agreeing to waive further proceedings

History with SCMB including 2001 letter of concern Re; hugging a female patient

5/30/13 Requesting appearance before the NCMB, NCMB agrees within 10-20 days, since then has been order to continue

5/30/13 Denial of Reinstatement of licensure due to history of NCMB including private letter of concern dated 7/14/04 involving allegations of simple assault from 2001, 6/24/10

Private letter Re; boundary violation of a female patient

7/31/13 order to continue

Kenansville NC

5/29/13 Public Letter of Concern due to prescribing including controlled substances to somebody he had a relationship with but did not maintain record of same.

**\*\*\*light discipline**

Raleigh NC

NCMS

6/24/13 Public Letter of Concern Re; prescribing controlled and uncontrolled medications to family with lack of documentation, physical exam.

Cary NC

7/19/13 Public Letter of Concern Re; dispensing of controlled substances

Dispensed medication to somebody with whom he had a personal relationship.

Hendersonville NC

NCMS

7/16/13 Public Letter of Concern

For prescribing medications to family members

\*\*\*\*\*

Pre-2012

8/31/11 Public Letter of Concern; In USAF, USAF found inappropriate relationship with pt. from 3-5/2010; USAF placed clinical privileges in abeyance 7/15/2010 and imposed summary suspension 8/13/10, privileges revoked effective 9/17/10. PLOC states he needs to take a Boundaries class within 6 months.

**\*\*\*Seems a bit lighter than most others get**

Licensee

1/28/11 During a visit with Pt. "A", licensee made inappropriate comments to patient about his weight and office visits.

2/28/11 Provider threw her pen on the floor and struck patient in the chest with a closed fist.

8/2011 Consent Order; 6 suspension, stayed after 30 days, within 6 months must take a course on "Managing difficult communications in patient practice" at Case Western University

12/2012 Consent Order relief for all of above.

**\*\*\*Was there a chaperone in the room, any witnesses? Males don't tend to complain. She batters a patient and gets 30 days out of practice + 5 months suspension, was there evidence that this happened. Had never had an incident with the NCMB, in practice since 1993. Would a simple apology have been adequate, this seems very unlikely to have happened, did she simply percuss his thorax? Class to take with a reprimand seems more appropriate. How long did her NPA last?**

Licensee

Practicing 1976

9/2000 Met with NCMB who referred him to NCPHP

2004 Hospital privileges disrupted due to behavior 6/2000

5/2005 Suspended hospital privileges due to disruptive behavior

10/2005 Licensee reported that his privileges at Catawba Med Ctr had been suspended from 5/24/05-6/15/05 due to unprofessional/disruptive behavior while on duty. One of the allegations is that he threw an empty foley catheter collection bag, appearing agitated and angry, another allegation is that he shouted instructions to a nurse during a surgical procedure, some members of the nursing staff were reluctant to work with him due to him verbally abusing/intimidating them. Licensee and Hospital agreed that a contract with the NCPHP would allow him to continue to work there.

3/24/2006 Consent Order for 2-month suspension immediately stayed re; allegations of disruptive behavior, hospital employees did not want to work with him due to their own fears

11/2010 Hospital privilege suspension due to disruptive behavior Re; treatment of a patient with a stab wound, during that treatment of the patient, the Dr. verbally belittled the staff, making sarcastic and inappropriate comments toward staff members while they were assisting patients. These behaviors were continued during subsequent treatment to such a degree that the hospital staff complained about not wanting to work with him in the future.

8/2011 Consent Order; Dr. Fitzgerald has been working with Glenn Newsome PhD Re; professional behavior and anger mgmt., NCPHP advocates effective therapy. Suspended for 2.5 years immediately stayed, \$2000 fine to the NCMB, continued NCPHP contract order

**\*\*\*Licensee apparently aggressive to hospital employees, suspended from hospital twice, never removed from practice until after treatment then given an immediately stayed 2.5 year suspension. Would a reprimand be more appropriate after he was treated for apparent mental illness/seems likely to have been bipolar disorder? Was he evaluated elsewhere? Who was Dr. Newsome?**

Licensee

NCMS

Nags Head NC

9/5/07 Allegations Re; episode below

12/2007 Consent Order; Reprimand. Patient "A" & "B" are family members of Dr. Smith who treated them for non-minor/non-emergent medical issues. He prescribed for them Vicodin, Darvocet and to Patient B had a dermatological/surgical procedure. Records were kept on treatment given and prescriptions given which were medically appropriate

1/2008 Consent Order amended, required to take a CME course on treating family members.

8/2011 Consent Order; 60 day suspension, immediately stayed for continuing top prescribe for Patient "A", a close family member.



**\*\*\*This demonstrates the more harsh discipline that currently would generate a Public Letter of Concern. There is no evidence of negligent practice of medicine or patient harm.**

Licensee

Prescribed medications and controlled substances to patient "A" who was a close friend and business associate, you did not keep a treatment record and even picked up his medications from the pharmacy for your friend.

7/19/11 Consent Order; Public Letter of Concern; Re; Above

**\*\*\*Boundary violation, possible substance abuse, why is the NCPHP not involved and why did he get off such a very light disciplinary measure compared to all of the others?**

Licensee

8/2010 VAMB terminates license due writing for 360 doses of Mirapex to himself in the name of a family member. Also wrote 4 Rx's for Paxil and Ambien for family members outside of a bona-fide physician-patient relationship.

7/7/11 Public Letter of Concern from NCMB due to VAMB issue although his VA license had been reinstated.

**\*\*\*Prior to 2012 others were getting Reprimands for such practices in NC; licensees do not receive equal treatment by the NCMB for various violations.**

Licensee

1987 EtOH treatment

7/2003 Mental Health issues in GA treated for 84 days then transferred to a "3/4 facility" for 14 months, entered into GAPHP and contract under NCPHP, advised to abstain from EtOH. Sober since 10/2003

2003 Surrender of license

2004 Consent Order; license re-activated after treatment of EtOH 1987

2005 Temporary License

2006 Renewal

2007 Renewal

11/2008 Full license

2/2011 NCMB receives complaint Re; licensee prescribing medications, including controlled substances to 4 close family members;

Patient "A" for Lunesta & Ambien, could not produce record

Patient "B" for Ativan and Ambien, could not produce record

Patient "C" Diazepam & meprobamate; no record

Patient "D" PolytussinAC no record

2/9/11 atty contacts NCMB, stating that licensee had been out of the country during NCMB investigation

12/9/2011 Consent Order; suspension for 3 months, retroactive to 9/9/2010

**\*\*\*Why was he suspended for writing medications for family members when Fink and Dubik get Public Letters of Concern?**

Licensee

Licensed 1978 Hickory Psychiatry

2/2011 Notice of Charges & Hearing

8/2007 Treating patient "A" for behavioral issues at CV Behavioral Health

10/2009 while continuing therapy at CVBH he also began treating patient in his residence at Cornerstone Treatment Center (CTC) which he owned and operated out of his residence. He treated the patient for pain with Percocet.

2010 engaged in sexual activity with patient "A" at his home

1/3,4,5/2011 Mr. Heath was evaluated at Behavioral Medicine Institute in Atlanta for sexual problems, disruptive behavior, medical and psychological problems with conclusion that he had poor insight and professional boundaries placing him at risk for future professional misconduct with recommendation for long term treatment there and should not practice medicine.

Records of patients "A-E" provided to independent reviewer certified in Psychiatry with care below the acceptable prevailing standard

2/22/11 Charges filed

6/16/11 Consent Order; Indefinite suspension, no further entries on NCMB website

**\*\*\*Another provider off into oblivion. Was he put under contract with the NCPHP, did he get treatment? Was he cleared to return to practice by the treating facility?**

Licensee

NCMS

Licensed 2001 Launenburg NC

Patients "B-F" former employees who were given prescriptions, many for controlled substances without documentation in charts, 2 employees admitted to diverting meds to patient "A" a relative to Dr. Block, numerous Rx's were issued to patient "A" to treat a number of medications. A pharmacist notified Licensee to this being a problem; patients "B-F" began drug diversion to the family member.

NC Division of Public Health complaint reviewed that 6/2007 and 12/2007 seven of his patients who had office stress tests tested for (+) for hepatitis C that may have been contracted by an unsafe technician during myocardial perfusion studies.

8/28/2008 Interim Consent Order; no invasive office procedures other than venipuncture or finger-stick procedures with direct physician supervision and that NCDPH will begin testing his patients for Hepatitis C

11/11/08 Emergency NCMB session Re; 7 stress test patients with Hepatitis C complaint from NCDPH

11/21/08 Consent Order to stop invasive office procedures. 2 year suspension/immediately stayed, indefinite probation.

2/2/09 Consent Order granting permission for in-office nuclear testing

4/11/09 Relief from all prior consent orders.

**\*\*\*This provider gave his relative and numerous employees controlled medications with inadequate documentation—BIG boundary violations. Then the employees began diverting their medications to the family member; which is hard to believe that licensee was unaware of (but conceivable). THEN 7 patients who had undergone nuclear stress testing in his office were positive for hepatitis C (A BIG act of negligence) requiring the NCDPH to get involved—they needed to go back and test every patient who had ever had a nuclear stress test in that office, and**

**possibly everybody who had ever had blood drawn in that office to ensure no other hepatitis C exposures (a HUGE task and expense to the state) After all of this, he gets a 2-year immediately stayed suspension? Wow! No mention made of NCPHP or evaluation of ability to practice or anything else being done to correct the boundary violations and negligence involving this licensee! Is the NCMB this inept?**

Licensee

Works for Center for Pain Pinehurst

11/29/10; Public Letter of Concern

Issued prescriptions for controlled substances to a family member without documenting anything including physical exam

**\*\*\*No time off of work, no NCPHP contract/boundaries course, no monitoring contract in the event he was self-diverting. Other licensees are severely punished for this.**

Licensee

12/2010 Consent Order for Reprimand

Committed unprofessional conduct, pediatrician in Jacksonville NC, NCMB rec'd complaint that he was regularly prescribing medications to close family members, between 1/2009 and 7/2010 numerous Rx's for 3 family members including Schedule II, IV drugs without documenting history/physical etc in charts.

**\*\*\*Other providers would be out of work for prolonged periods, NCPHP contract, urine screens, Boundaries class and possibly off to treatment under suspicion of substance abuse/diversion.**

Licensee

Licensed in 1999. No malpractice or convictions. PA had him surrender his license, now on exclusion list for Medicaid and Medicare

2003 Consent Order that was unable to be opened

Wrote controlled and non-controlled medications for 4 NC patients and occasionally to close family members who live out of state, he did not always maintain adequate medical records for these patients and close family members. He was alleged to have engaged in unprofessional behavior by inappropriate remarks and unwelcome touching Re; a nurse. He was inappropriately familiar and facetious with the nurse. He said he never meant to make her feel uncomfortable.

This physician also volunteers at a free clinic in Mecklenburg.

11/2010 had scheduled a hearing in front of the Board but then accepted a consent order 3/15/2011 Consent Order Indefinitely Suspension; remains inactive to this day.

**\*\*\*This guy made some errors regarding who he prescribed for/records that were not kept, made some remarks, that touching was "unwelcome". This sounds like it could be a case of Asperger's Syndrome, which is a disability. He never had NCPHP evaluation or treatment, never given a boundaries course, never given an opportunity for outside evaluation.**

Licensee

Between 3/2/09 and 9/10/10 wrote for patient "A", 16 Rx's for Hydrocodone Schedule III

7 Rx's for Xanax, 7 Rx's for Klonopin, 1 Rx for Ativan, 1 Rx for Meperidine, 1 Rx for Dilaudid. Failed to maintain chart documenting history/exam/plan for patient who is a former friend from when he practiced in PA. He would also take this patient to the pharmacy to get the Rx's.

1/2011 Consent Order; Reprimand

**\*\*\*No order to NCPHP, no evaluation for substance abuse—which is very likely with the quantities etc being used, improper documentation, multiple controlled substance Rx's. Other providers lose their licenses/have indefinite suspensions, why did he get off with a reprimand? No order for NCPHP Re; boundary issues/courses.**

Licensee

10/2010 Consent Order 45 day suspension/unstayed.

Unprofessional conduct in NC by writing a prescription for somebody she was having a significant relationship with while doing OB-GYN in Burlington. NCMB heard that she was prescribing controlled substances to family members; which has been investigated. Will have suspension held until she delivers the babies of women under her care and will do a CME course on prescribing medications.

**\*\*\*Why such harsh treatment, was not self-prescribing, did not give Schedule II/III substances.**

Licensee

NCMS

Engaged in inappropriate relationship with patient

2010 Consent Order; Reprimand

**\*\*\*Why are other providers out of work for years for this transgression? Who did he pay how much money off to? Others are out of work for years for this!**

Licensee

NCMB received information of a boundary violation during a physician-patient relationship

5/2009 Surrendered license

2/18/10 Consent Order; indefinite suspension.

**\*\*\*Where was the NCPHP? Is he another "lost" provider? He hasn't had a license for >4 years due possibly to a single liaison with a patient?**

2009

Licensee

NCMB receives info Re; inappropriate contact and conversation with patients and staff, had treatment during which he gained insight from regarding his prior conduct, he also engaged in inappropriate self-diagnosis and treatment by giving himself testosterone. NCMB reviewed two charts that found that his charts did not support diagnosis of conditions that were included in his billing

6/24/09 Consent Order; Indefinitely Suspended.

10/11/13 Provider is still not working

**\*\*\*Where was the NCPHP? This may have been a simple diagnosis of Asperger's with a bit of disregard for NCMB rules in giving himself appropriate testosterone**

**therapy that was indicated (no indication that it wasn't) and a witch-hunt regarding his charts. Why has he been out of work for 4.5 years?**

Licensee

10/2007 Surrendered License

4/2009 Consent Order; indefinite suspension due to allegations of improper physical relationship with 6 patients as determined by the NCMB. Consent Order states that provider surrendered his license. Patient "A" complained to the NCMB. Nowhere does it state that there was sexual intercourse with any of his patients. What is the truth/nature behind the allegations made by the NCMB?

**\*\*\*There have been numerous cases observed thus far in which the NCMB Consent Order "Statement of Fact" has been anything but factual; is this another case? These providers need to be interviewed by the auditor to find the real truth.**

Licensee

NCMS

9/17/08 Inactivated NC license due to CA MB allegations of an "emotional affair" of a patient within his psychiatric practice during 2-3/2005, CA MB Action 4/2008. CA had placed him on 5 year probation during which time he must have 65 hours of CME, requirement to remedy deficient knowledge at issue (Boundary & Ethics) during the 1<sup>st</sup> year of his suspension, must take an entirely separate professional boundaries program

9/2009 Consent Order; Reprimand Re; above

**\*\*\*What is an "emotional affair"? Wouldn't a "Private Letter of Concern be adequate? Letter not sent**

Licensee

12/2008 mis-represented his identity to a pharmacy for a valid prescription to himself for Phentermine to assist with weight loss.

5/29/09 Voluntarily stopped practicing

7/2009; Consent Order; Public Letter of Concern Re; failure to make restitution for care not rendered after filing for bankruptcy

10/2009 Consent Order; 4 month un-stayed suspension, shall no longer practice cosmetic surgery due to romantic relationship with a former patient. Performing cosmetic procedures on patients related to him.

**\*\*\* Dr. Clinton basically mis-represented himself to get a non-controlled medication that he self-prescribed, had a romantic relationship with a former patient, we don't know if that patient was formally discharged or not. He also treated family members, no word on level of care, type of procedures, possible negligence. Would assume in the absence of those charges that none were pertinent. He loses his entire career due to boundary violations of self-prescribing one time, one relationship with a former patient and some type of procedure, possibly even a Botox injection on family members? This is absurdly heavy-handed treatment! NCMB attorneys in statement of fact on the consent order refer to him as a "plastic surgeon" when in fact he's a Family Physician**

Licensee

Plastic surgeon who developed paresthesias of hands Spring 2008, by June 2008 sought neurology evaluation and w/u, no explanation given.

Later 2008 due to concern of symptoms affecting performance he chose to stop surgery  
Diagnosed with a vitamin imbalance that resolved within weeks of changing his supplement regimen, allowing resumption of surgery.

During the time of his evaluation NCMB received complaints. Patient "A-B" failed to meet the acceptable standards of care. NCMB was concerned about this and his self-prescribing testosterone. Medical Treatment of "A-H" exhibited "unprofessional conduct" including failure of medical ethics. He sought care from an endocrinologist who continued the testosterone due to low levels.

9/2009 Indefinite Suspension due to "unprofessional conduct" as described above.

2/2010 SC License restricted him to working only in penal institutions

2/2012 SC removes all licensure restrictions, still suspended in NC

**\*\*\*Extremely harsh treatment, no evidence of NCPHP involvement. He had a medical issue for which he sought assistance. He did self-prescribe testosterone for valid reasons; that should be treated as a mild infraction of the rules. He apparently failed to pay the right amount to the appropriate members of the NCMB. Website offers no evidence of alleged negligence/unprofessional conduct examples.**

Licensee

GP, licensed 1994, Wilmington NC

Patient "A", he asked if she had considered modeling, he could arrange a photo shoot for her, he provider arranged for a photo shoot at his practice. Patient "A"'s children and spouse are Provider's patients as well. Patient "A" and Provider started exchanging Email's about personal matters, some containing sexual overtones.

10/7/08 License voluntarily surrendered, self-referred to NCPHP, remained in full compliance and took a boundaries course at direction of NCPHP

1/2009 Consent Order; indefinite suspension

3/23/10 Consent Order; Temporary license with conditions; must have a chaperone with all female patients and may not be a solo practitioner

9/2010 full license

**\*\*\*Practitioner has inappropriate leanings via Email/conversations with patient. Inactivates license and self-refers to NCPHP. These are all professionally appropriate actions to a boundary incursion. NCMB gets involved, suspends license indefinitely, he's out of work over 17 months without having sexual contact with his patient. The response of the NCMB is far more inappropriate than anything the licensee is guilty of per these records on their website.**

Licensee

3/23/09 Consent Order; Suspension for 4 months/immediately stayed with 1 year probation. He was licensed since 1994, specialty is AN (anesthesiology?). Since 2005 authorized prescriptions for a co-worker, patient "A" which were not documented in any patient chart. 4/4/08 authorized Rx's for Seroquel & Zoloft with 12 RF's. Patient "A" had been getting the drugs for her spouse's anxiety/depression/bipolar disorder. Patient "A"'s spouse had a history of these conditions for which he had been treated successfully with these medications, patient "A" had no history of these issues. Must take a medical

ethics and professionalism class at Case-Western U in Cleveland OH, or take the professional problem-based ethics course in Summit NJ within 6 months.

2/2009 Consent Order; Failed to timely comply with above consent order.

3/23/09 Completed the course and received a consent order for reprimand.

6/24/12 Consent Order; relief of obligations.

**\*\*\*He tried to assist a coworker, didn't keep records of his efforts, didn't evaluate the patient as he should have. Did not prescribe controlled medications. Ended up with a 4 month suspension then probation, had to go out of state to take classes that should have been available in a state with; UNC, Duke, Wake Forest, & Brody Medical School—4 medical schools yet couldn't find any class within NC to satisfy the requirements. Why is this poor guy being penalized to this degree?**

Licensee

Licensed 1986, Freemont NC FP

~2003 Medical issue forced her to stop practicing.

2/2007 NCMB notified about prescribing irregularities; she had written Rx's to former patients including at least 2 prescriptions for controlled substances. Did not have active DEA # at that time. She prescribed to patients that she had a significant emotional relationship with.

1/15/08 Voluntarily inactivated license.

3/26/09 Consent Order; Indefinite Suspension due to prescribing for former patients including controlled substances. NCMB suspended license because licensee had "deceived the board by not notifying them sooner that she had a medical condition...".

**\*\*\*What exactly was the breach in standard of care here? There's no report on NCMB documents that adequate records were not kept. This could be a simple issue of a provider with a disability that was possibly short-lived such as MS who tried to maintain relationship with long-standing patients by helping them out regarding refills of meds without charging them for that favor. When it became evident to her that she would not be able to return to practice in a reasonable time frame, the NCMB found out about their perceived deception and indefinitely suspended her, which is a very heavy-handed approach to a disabled physician who had apparently done everything else within the bounds of professionalism. Why was she thus abused?**

Licensee

NCMS

Gastonia NC Graduated Tulane 1987

4/3/09 Public Letter of Concern by Geo Saunders. Incident regarding an assistant who was subjected to unwanted touching when you placed your hand on her back after completion of a procedure on a patient. NCMB notes that you have cooperated with the investigation and taken steps to ensure that this behavior has not been repeated. Regarding suturing a superficial laceration on a family member, the NCMB a proper record was not kept and only emergencies on family members are allowed to be treated.

**\*\*\*Are you kidding me? This guy had the audacity to touch a nurse on the back at the completion of a procedure, a pat on the back to her for assisting him and he gets**

**a public letter of concern??? Then he gets into trouble by suturing a laceration on a family member? The NCMB contends that licensees are allowed to treat family members in an urgency or emergency. What condition would require suturing other than a laceration, albeit an emergency? This poor guy with a clean prior record gets a punitive measure for thanking an assistant and caring for a family member in an emergency (but possibly not keeping adequate records of same). This is over-the-top heavy-handed treatment!**

Licensee

12/2008 Surrendered license voluntarily

5/2009 Notice of charges/allegations/hearing; Practicing in NC since 2007, had “polysubstance dependence” in IN. Participated in the IN PHP before coming to NC in 8/2007. 8/2007 NCPHP contract entered and licensed in NC with prohibition of using mind-altering substances and random drug screens.

8/31/08 Urine had THC

11/22/08 Urine Had Oxycodone and Oxymorphone metabolites; violation of NCPHP contract

12/2008 surrendered license.

5/2009 requested hearing in NC

7/2009 Consent Order; “Neither admits nor denies allegations of Hx substance abuse”. Indefinite suspension of NC license, never worked in NC again.

**\*\*\*No evidence of being given the option to go into residential treatment, continue to abide by NCPHP contract etc. He eventually resumed practicing in IN**

Licensee

Became a PA in 1991

1998 Consent order re; substance abuse concerns

10/17/2007 Consent Order; Indefinite suspension 2’ to EtOH abuse, consistently tested (+) for EtOH and on one occasion for Tramadol. False positives for EtOH are possible from a variety of sources;

[https://www.google.com/search?q=causes+of+false+positive+blood+alcohol+test&rlz=1C1CHFX\\_enUS533US533&oq=What+causes+false+positive+blood+alcohol+test&aqs=chrome.2.69i57j0l2.41929j0j7&sourceid=chrome&espv=210&es\\_sm=122&ie=UTF-8](https://www.google.com/search?q=causes+of+false+positive+blood+alcohol+test&rlz=1C1CHFX_enUS533US533&oq=What+causes+false+positive+blood+alcohol+test&aqs=chrome.2.69i57j0l2.41929j0j7&sourceid=chrome&espv=210&es_sm=122&ie=UTF-8)

**\*\*\*This practitioner has been out of work for 6 years; there is nothing in the documents on the website to explain this or address the possibility of false positive results; the practitioner repeatedly denied using alcohol when the tests were positive.**

Licensee

1978 licensed

11/24/04 During therapy, patient “A” became upset thinking that provider had not adequately reviewed her email correspondence to her. In an attempt to reassure pt. he gave her a brief hug after she had asked him not to do so (unknown exactly when that request to not hug was made).

12/20/2004 Patient “A” reports that during a therapy session, he made comments from which she inferred that he had a sexual attraction to her. He denied same.



11/2004-8/2005 Parties engaged email's that "were of a more personal nature at times" in which he disclosed inappropriate personal information about himself to patient "A". Provider denies any intent toward an inappropriate relationship, the interactions were intended as therapeutic but he failed to maintain appropriate boundaries. Patient "A" stopped seeing provider and began seeing a different psychiatrist concerning her interactions with Dr. Winton.

Patient "A" complained to the NC Psychiatric and American Psychiatric Association; both organizations suspended his membership for 3 years and mandated supervision afterwards. Since that time Dr. Winton no longer exchanges Emails with patients.

7/2009 he requested a hearing, then there was notice of charges and allegation and notice of hearing.

11/2009 Consent Order; suspension for 1 year immediately stayed except for 30 days, probation for 1 year, \$5K fine, NCPHP assessment, must take Category 1 CME on boundaries.

**\*\*\*I don't see that he did ANYTHING wrong here. Patient "A" seems to have had misperceptions/no mention of her mental status/was she delusional? Had been seeking psychiatric help for 20 years; something isn't healthy within her head. She accuses this provider without any evidence per the material on the NCMB website. He gets penalized by his professional societies, fined & suspended by the NCMB. I don't see a reason for any of this other than a patient's word against his.**

Licensee

Urology

1/2007 Voluntary surrender of license, went to treatment @ Professional Renewal Ctr in KS, then into contract with NCPHP.

2/2007 Consent Order; Indefinite Suspension for having sex with a patient from 12/2005-8/2007 Returns to work

6/2008 Release from all restrictions

**\*\*\*Very light disciplinary action, was out of work for 7 months for having a sexual relationship with a patient for almost 2 years.**

Licensee

Chapel Hill

111 Vytex St Chapel Hill 27516 (919) 967-0099

2001 Had a sexual relationship with a patient while working at the correctional institute for women as a psychiatrist.

After the patient was released, she moved into Dr. Brydon's home, they continued a sexual relationship. The patient was later re-incarcerated due to forging Dr. Brydon's name on a Rx pad. Dr. Brydon continued caring for the now-incarcerated patient

4/2007 Voluntary surrender of license

6/26/07; License revoked, never returned to practice.

**\*\*\*Another lost soul...**

Licensee

Morganton NC, recently married now Michelle Martin-Maffucci

4/2003-7/2006 had an intimate with patient "A" with whom she continued a professional relationship, continuing to treat including controlled medication Rx's to patient "A" & "B" from 1989-2002 to patient "B", one of her family members.

6/2007 Consent Order; 6 month suspension/stayed on probationary terms that she attend a Vanderbilt course on professional substances and boundaries within 12 months.

**\*\*\*Why does she have an immediately stayed suspension, "intimate" vs "sexual" in the above incident? Terms are somewhat vague, possibly misleading?**

Licensee

FP, Mebane NC

Prescribed Xanax for a coworker, asking coworker to share pills, her employer sent her to NCPHP where she was assessed and found to not have a substance abuse problem but EtOH dependence therapy was recommended.

6/2007 Surrendered license

10/2007 Consent Order; Indefinite suspension

12/3/08 Consent Order 6 month temporary license

5/2009 Consent Order; return to work

**\*\*\*Another 1.5 years out of work for a voluntary entry into a NCPHP contract despite recommendations of treatment center which typically recommends return to work.**

2007

Licensee

FP/SM (sports medicine) West End NC

5/2005 had been treating patient "A". Dr. M began sexual affair with an employee who was also married to one of his patients. At no time did Dr. M inform the patient that he was having a sexual relationship with his wife nor did he terminate the physician-patient relationship.

7-8/2005 Dr's PA provided care and wrote Rx's for the spouse of his employee, the patient's wife was divorced from the patient, she later married Dr. M

11/17/07 1 year suspension/immediately stayed for 1 year of probation, required to complete CME's.

**\*\*\*How was this a violation of boundaries? Morally unjust, yes. It does not violate statutes on boundary violations however.**

2006

Licensee

FP Wilmington NC

1/2006 Non-disciplinary consent order for writing Rx's for controlled substances for a family member, not keeping a record during interval from 4/2003-8/2005.

**\*\*\*Very light treatment!**

Licensee

Psychiatry/Addiction Medicine Durham NC

2000 developed personal feelings for a patient and terminated his professional relationship with the patient. After ending his relationship he provided her with 2 Rx's for a specific medical condition.

2/2001 Advises patient he's terminating their relationship; she engages an atty alleging neglect and unprofessional conduct on his part.

9/2001 After discussions with Duke University and NCPHP he surrendered his license and voluntarily enters therapy with Dr. Stratas recommended by NCMB & NCPHP. He then relocates to TX where he was allowed to practice

8/2006 Consent Order; Permanently surrenders license

**\*\*\*Where is the boundary violation? He discharged the patient, then began a relationship with her.**

Licensee

Gastonia NC 64 yo

8/2006 Non-disciplinary consent order stating he wrote Rx's for controlled substances for a family member who had knee surgery/the treating physician was out of town. No chart/record was kept for the family member or the 5 of the Rx's but he did keep copies of 4 of the Rx's.

**\*\*\*He wrote 9 Rx's for a family member and gets such light discipline?**

**2005**

Licensee

Psychiatrist?

8/2004 NCMB rec'd information that patient "A" had a personal, romantic, sexual relationship with the Dr. that continued indefinitely. Dr. Jawa cooperated, the relationship extended from 11/2000-8/2001. In 8/2001 he advised patient to see another psychiatrist which she did, they continued their relationship.

3/2004 patient "A" ended her relationship

10/2004 surrender of license/entered a healthcare facility that specialized in physicians with boundary violations

2/2005 Indefinite suspension due to sexual relationship with patient

**\*\*\*Never returned to practice again...**

12/18/13

Licensee

Metairie LA

Public Letter of Concern

From 7/2011-6/2013 prescribed controlled substances and other medications to a person with whom you have a significant emotional relationship. You also prescribed control substances to that person's family members and another friend. You also failed to maintain appropriate records for these prescriptions. NCMB requires Category 1 CME course on controlled substance prescribing within 6 months.

**\*\*\*Why is the NCMB getting involved in issues that happened in LA? Are they trying to rack up the amount of disciplinary actions they're giving out to improve their disciplinary ranking with the FSMB?**

1/23/14

Licensee

Efland NC (Completed PA program at Duke in 1974, this puts his age in the 70's)

6/20/2013 Voluntary surrender of license after sex with a patient

1/23/14 Consent Order License Revoked.

**\*\*\*Permanent loss of license after an alleged episode of sex with 1 patient by a provider in his 70's!? This was presumably an adult patient (if this ever happened at all), presumably not rape but consensual sexual contact. This seems over-the-top ludicrous and I don't buy for a moment that his sexual partner was so overpowered by his status as a PA that she couldn't decline—how do we know that he wasn't seduced if there even WAS any sexual contact?**

2/20/14

Licensee

Nags Head NC

Consent Order

Reprimand for discharging a patient from his care to another member of his group and then engaging in a personal relationship with that patient. Needs to take a boundaries course @ Vanderbilt.

**\*\*\*What did he do wrong? He discharged the patient from his care appropriately, apparently even documented it appropriately.**

3/7/14

Licensee

Psychiatrist Raleigh/Chapel Hill now in division of prisons

5/2001 began treating patient "A", in 6/2001 asked patient out on a date, 8/2001 began sexual relationship including intercourse in his office at Albemarle Mental Health Center during which time he falsified her medical record indicating that he treated her for an office visit on that occasion. Dr. Larson moved to Chapel Hill late 8/2001. He did not advise the patient of the move.

10/2005 Consent Order; Suspension for 1 year, may not re-apply for reinstatement until a year later.

10/2013 Surrendered license

3/7/14 Consent Order Indefinite Suspension

**\*\*\*He was out of work for 1 year for having a sexual relationship with a patient. No mention of boundaries course etc. Then relapses, surrenders license and a year AFTER surrendering license is indefinitely suspended? What is the rationale for suspending a surrendered license? Do we throw this guy away? No rehab/supervised practice etc? Would it make more sense to mandate he treat males only and return to practice?**

3/11/14

Licensee

Monroe NC

8/14/13 Surrender license

8/15/13 Voluntary surrender acknowledgement

3/11/14 Consent Order for indefinite suspension based on allegations of 2012 “inappropriate contact” with a patient/denied, then another similar complaint 2005 in which MedMal paid damages to a patient in a settlement in which he denied wrongdoing. Had NCPHP evaluation/assessment which revealed at least 2 other allegations of inappropriate contact, patients were interviewed by the NCMB. Polyzos denied all.  
**\*\*\*I’ve seen enough consent orders and heard enough of the “other side” (provider’s version of what is written in the consent order) to seriously doubt validity of anything written in a consent order.**

4/11/14

Licensee

Winston-Salem

12/2012 self-reported relationship from 3/2010-12/2012 with a former patient, employer placed him on administrative leave without pay for 2 months while awaiting clearance from NCPHP is given 6 month suspension stayed for all but 60 days from 4/12/2014-6/10/14.

**\*\*\*This is a much-needed improvement in the dealings with boundary violations--- or is it simply another case of favoritism?**

6/30/14

Licensee

Durham Psychiatrist

6/30/14 Consent order/indefinite suspension

Married “patient A” whom she also prescribed Methadone for, also lied about having a romantic relationship with a patient initially to NCMB investigator

**\*\*\*The last psychiatrist that I’m aware of that married a patient was out of practice for 7 years and the allowed to resume practice but was forbidden to practice psychiatry!**

8/21/14

Smithfield NC

Consent Order/Reprimand (Social Media) & 1 year suspension/stayed after 120 days +\$5K fine (Boundary)

Inappropriate use of social media/identifying self by first and last name and “MD” then making derogatory comments about “fictitious”patients.

Prescribing controlled substances to family member and forging the name of another provider in his practice to the Rx

**\*\*\*How does he get off so lightly? Others have been out of practice for years for prescribing to family members! How much did he pay for this? Who was the intermediary? There is no mention in the public paperwork of who his “defense” attorney is.**

9/23/14

Pinehurst

Consent Order; Indefinite suspension/immediately stayed except for 3 months and \$10K fine, Boundaries class

While treating a colleague whom he'd known for 20 years with medications he failed to completely document all medications and began a romantic relationship with his longtime friend & colleague

**\*\*\*Pimp my Board! This is not a “defenseless” patient, but a colleague of 20 years he was involved with!!! Don't tell me that this is such a huge “power differential” that the patient was defenseless!!**

10/28/14

Rock Hill Tx

Summary suspension of license

Had sex with inmate/patients at Federal correctional facility

**\*\*\*His career would be over if this happened in NC. Follow-up of how TX handles this may be enlightening.**

11/21/14

Greenville NC

Consent order/agree to take CME on Boundaries for prescribing controlled & non-controlled medicines to family members, office staff etc.

**\*\*\*Why isn't he out of work for a few years for this? He's not even getting a public letter of concern whereas others are put away for prolonged periods of time. I wonder how much this cost? Exceedingly light discipline!**