

West Virginia Board of Medicine

Quarterly Newsletter

Methadone: The good, the bad, and the ugly **Alvin H. Moss, MD, FAAHPM and Michael G. O'Neil, PharmD**

West Virginia physicians need to know the ugly about the use of methadone for pain management. In West Virginia between 2001 and 2006, the number of unintentional drug overdoses associated with methadone resulting in death increased six-fold. (1) Between 1999 and 2004 the percentage change in unintentional poisoning mortality rate (most poisoning deaths are due to drug overdoses) was higher in West Virginia, 550%, than in any other state. (2) More patients dying of unintentional drug overdoses died from methadone overdose than any other medication. Clearly methadone should only be prescribed for those patients when other medications have not satisfactorily controlled their pain. For each patient prescribed a controlled substance, especially patients who are prescribed methadone, attention needs to be given to the possibility of drug abuse, diversion, and serious drug interactions.

The good is that methadone is increasingly being recognized as a useful alternative for the treatment of cancer pain and is effective in the treatment of both nociceptive and neuropathic pain. It blocks the N-methyl D-aspartate (NMDA) receptor-channel complex in the dorsum of the spinal cord and is a mu, kappa, and delta opioid receptor agonist. Methadone is also inexpensive, costing about one-tenth the amount of morphine. Because methadone has a long half life which increases the longer the medication is prescribed, methadone can be dosed at extended intervals (every 8 to 12 hours) for the treatment of chronic pain and for end-of-life care. Because methadone is metabolized by the liver and there are no renally excreted active metabolites, methadone is one of the safer opioids analgesics to use in patients with chronic kidney disease.

Methadone's bad properties include that it has a long and variable half life and that it has a large number of interactions with other medications. Conversion from other opioids to methadone can be challenging (there are several different approaches), and there is not a standard approach for converting from methadone to other opioids. Drug interactions with methadone may lead to an increase or decrease in methadone levels. Because of its long half life, if a physician over shoots on his or her initial dosing of methadone, patients may need to be treated with a naloxone continuous infusion until the patient wakes up from the central nervous system depressant effects of the methadone.

Physicians should not prescribe methadone for the treatment of chronic pain unless they are well versed in its pharmacokinetics, drug interactions, and conversion from other opioids analgesics. Physicians who want to prescribe methadone in their practice should obtain continuing medical education on its use.

References:

1. Hall AJ. *Epidemiologist*, West Virginia Department of Health and Human Resources. Personal communication. January 2008.
2. Centers for Disease Control and Prevention. Unintentional poisoning deaths —United States, 1999-2004. *MMWR* February 9, 2007;56 (05):93-96

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REMINDER DATA 2000 - (SAMHSA/CSAT)

No more than ninety (90) M.D.'s throughout West Virginia at this time are authorized to use Schedule III, IV, or V opioid drugs for the maintenance and detoxification treatment of opioid addiction in accordance with Federal law. These ninety (90) M.D.'s are authorized to treat only a certain number of such patients, in accordance with the Notification of Intent (NOI) filed by the physician and then authorized in writing through the Center for Substance Abuse Treatment (CSAT). There is no authority for CSAT to grant any physician the authority to treat more than the patient limit set forth in law, up to thirty (30) initially, and after one (1) year, one hundred (100), if authorized in writing through CSAT. No physician in West Virginia has been granted the authority to treat more than one hundred (100) patients at one (1) time.

To avoid problems, it would be prudent for those of you engaged in this treatment to review and ensure your compliance with the authority you have been granted. Also, see on the website the Board of Medicine's "Policy Guidelines for Opioid Addiction Treatment in the Medical Office," adopted by the Board on September 8, 2008. Go to www.wvdhhr.org/wvbom and under Position Statements on the left, click on "Opioid Addiction Treatment in the Medical Office."

WEBSITE OFFERS RESOURCES FOR PHYSICIANS SEEKING TO RE-ENTER PRACTICE

A newly expanded website offers resources for physicians seeking to re-enter the workforce after an extended absence. Located at www.aap.org/reentry, the website is part of the Physician Re-entry into the Workforce Project, a national collaborative endeavor to examine the diverse issues encompassed under the rubric of "re-entry." The website was recently enhanced to include resources for individual physicians seeking re-entry information, as well as updates about the ongoing work of the Re-entry Project. Articles available on the site include:

- [Organized medicine tackles physician re-entry issues](#)
- [Re-entry Problems: Returning to practice after a break not easy](#)
- [Re-entry Reading List](#)

SAYING GOODBYE

Many of you may have known or worked with Janie Pote Nielson, our Administrative Assistant to the Legal Department, who left her position in September, 2007, for medical reasons. It is our sad duty to inform you that Janie passed away September 22, 2008. Our condolences are with her family and friends. She was a special lady.

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221	Sheree J. Smith	Licensure Analyst

???DID YOU KNOW???

Are you thinking about being an Internet prescriber? Are you being recruited to review and sign off on prescriptions over the Internet? Be aware that the Board of Medicine Rule, 11 CSR 1A, at 12.2, specifies that the following is considered “dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public or any member thereof”:

- k. A practice of providing treatment recommendations relating to issuing prescriptions, via electronic or other means, for persons without establishing an on-going physician-patient relationship wherein the physician has obtained information adequate to support the prescription: Provided, That this definition does not apply: in a documented emergency; or in an on-call or cross coverage situation; or where patient care is rendered in consultation with another physician who has an ongoing relationship with the patient, and who has agreed to supervise the patient’s treatment, including use of any prescribed medications.

It might be of interest to you as well to look at what the National Clearinghouse on Internet Prescribing (NCIP) www.fsmb.org/ncip_overview.html is doing in collecting information on “rogue” Internet pharmacy websites offering prescribing and dispensing to consumers. NCIP has been functioning within the Federation of State Medical Boards for eight (8) years and its work has resulted in discipline of physicians across the country.

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BOARD ACTIONS July 2008 — September 2008



DARROW, JOSEPH CHARLES, JR., M.D. – Logan, OH (07/29/2008)

WV License No. 19291

Board Conclusion: Relating to presenting false statements in connection with an application for a license.

Board Action: Granted ACTIVE status for his currently lapsed license to practice medicine and surgery in the State of West Virginia effective July 29, 2008. Dr. Darrow paid to the Board \$300, \$200 of which is designated a fine for his deficiency of two (2) hours of continuing education in end-of-life care, including pain management during the required period, \$100 of which is designated administrative costs.

DI CRISTOFARO, SEAN CHARLES, M.D. – Hurricane, WV (08/22/2008)

WV License No. 19679

Board Conclusion: Administering a drug other than in good faith and in a therapeutic manner in accordance with accepted medical standards, unethical or unprofessional conduct, failure to perform a legal or statutory obligation placed upon a physician, and failure to practice medicine acceptably, or otherwise violating the law.

Board Action: Effective August 22, 2008, Dr. Di Cristofaro may resume the active practice of medicine, subject to a five (5) year period of PROBATION and other CONDITIONS, LIMITATIONS, AND RESTRICTIONS.

HOELDTKE, ROBERT D., M.D. – Morgantown, WV (09/29/2008)

WV License No. 16050

Board Conclusion: The inability to practice medicine and surgery with reasonable skill and safety due to mental impairment.

Board Action: License placed in an ACTIVE status effective September 29, 2008, and shall remain a participant in and compliant with all requirements of the mental health recovery contract with the West Virginia Medical Professionals Health Program, Inc.

HOOVER, KATHERINE ANN, M.D. – Lost Creek, WV (09/11/2008)

WV License No. 11571

Board Conclusion: Exercised influence within a patient-physician relationship for the purpose of engaging a patient in sexual activity; unprofessional, unethical, dishonorable conduct; and in the absence of restrictions and conditions, unqualified to practice medicine and surgery in the State of West Virginia.

Board Action: License REVOKED effective at 12:01 a.m. on Monday, October 6, 2008, which REVOCATION is STAYED IMMEDIATELY, and her license is placed on PROBATION for five (5) years. Dr. Hoover shall pay all costs of the investigation and prosecution of this matter and shall pay a civil fine of \$1,000.

KAKULAVARAM, NALINI, M.D. – Coffeyville, KS (09/08/2008)

WV License No. 16726

Board Conclusion: License acted against or subjected to other discipline in the State of Kansas.

Board Action: Effective September 8, 2008, the inactive license of Dr. Kakulavaram to practice medicine and surgery in the State of West Virginia was SURRENDERED.



BOARD ACTIONS July 2008 — September 2008



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MORGAN, BRETON LEE, M.D. – Point Pleasant, WV (07/28/2008)

WV License No. 15143

Board Conclusion: Relating to being convicted of a felony involving administering and dispensing a controlled substance under state or federal law for other than generally accepted therapeutic purposes.

Board Action: Dr. Morgan, having met the requirements for medical licensure in the State of West Virginia, was licensed effective July 28, 2008, in active status. Immediately upon issuance, Dr. Morgan's active license was REVOKED and such revocation was immediately STAYED, and Dr. Morgan's license for a five (5) year period was placed on PROBATION, under terms.

MULDONG, BEN DAVID, M.D. – Knoxville, TN (09/08/2008)

WV License No. 10305

Board Conclusion: Unprofessional conduct and renewal of a license to practice medicine and surgery by making an incorrect statement in connection with a licensure application.

Board Action: Dr. Muldong paid a CIVIL FINE in the amount of \$100 per credit hour for his prior deficiency of two (2) hours of CME in the subject of end-of-life care, including pain management, for the licensure renewal period from July 1, 2005, to June 30, 2007, together with a one-time ADMINISTRATIVE FEE in the amount of \$100, for a total of \$300.

NEIBERG, HOWARD, M.D. – Wheeling, WV (07/14/2008)

WV License No. 13937

Board Conclusion: Unprofessional conduct and renewal of a license to practice medicine and surgery by making an incorrect statement in connection with a licensure application.

Board Action: Dr. Neiberg paid a CIVIL FINE in the amount of \$100 per credit hour for his prior deficiency of two (2) hours of CME in the subject of end-of-life care, including pain management, for the licensure renewal period from July 1, 2005, to June 30, 2007, together with a one-time ADMINISTRATIVE FEE in the amount of \$100, for a total of \$300.

OH, EUGENE, M.D. – Glendale, AZ (09/08/2008)

WV License No. 21549

Board Conclusion: Unprofessional conduct and renewal of a license to practice medicine and surgery by making an incorrect statement in connection with a licensure application.

Board Action: Dr. Oh paid a CIVIL FINE in the amount of \$100 per credit hour for his prior deficiency of two (2) hours of CME in the subject of end-of-life care, including pain management, for the licensure renewal period from July 1, 2005, to June 30, 2007, together with a one-time ADMINISTRATIVE FEE in the amount of \$100, for a total of \$300.

PATEY, JEFFREY ALAN, M.D. – Marietta, OH (09/08/2008)

WV License No. 22631

Board Conclusion: Unprofessional conduct and renewal of a license to practice medicine and surgery by making an incorrect statement in connection with a licensure application.

Board Action: Dr. Patey paid a CIVIL FINE in the amount of \$100 per credit hour for his prior deficiency of two (2) hours of CME in the subject of end-of-life care, including pain management, for the licensure renewal period from July 1, 2005, to June 30, 2007, together with a one-time ADMINISTRATIVE FEE in the amount of \$100, for a total of \$300.

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BOARD ACTIONS July 2008 — September 2008



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ROSENBERG, GARTH DAVID, M.D. – Frederick, MD (09/08/2008)

WV License No. 22702

Board Conclusion: Unprofessional conduct and renewal of a license to practice medicine and surgery by making an incorrect statement in connection with a licensure application.

Board Action: Dr. Rosenberg paid a CIVIL FINE in the amount of \$100 per credit hour for his prior deficiency of two (2) hours of CME in the subject of end-of-life care, including pain management, for the licensure renewal period from July 1, 2005, to June 30, 2007, together with a one-time ADMINISTRATIVE FEE in the amount of \$100, for a total of \$300.

SCHROEDER, DAVID WILLIAM, M.D. – Canton, OH (09/08/2008)

WV License No. 21265

Board Conclusion: Unprofessional conduct and renewal of a license to practice medicine and surgery by making an incorrect statement in connection with a licensure application.

Board Action: Dr. Schroeder paid a CIVIL FINE in the amount of \$100 per credit hour for his prior deficiency of two (2) hours of CME in the subject of end-of-life care, including pain management, for the licensure renewal period from July 1, 2005, to June 30, 2007, together with a one-time ADMINISTRATIVE FEE in the amount of \$100, for a total of \$300.

SHEPHERD, JAMES BANKS, JR., M.D. – Fairdale, WV (08/08/2008)

WV License No. 09143

Board Conclusion: Violating a rule or order of the Board and failure to conform to the principles of medical ethics of the American Medical Association and opinion 8.19 relating to treatment of an immediate family member.

Board Action: Dr. Shepherd's license to practice medicine and surgery in the State of West Virginia was voluntarily SURRENDERED effective August 8, 2008. Dr. Shepherd was also PUBLICLY REPRIMANDED for violating a rule or order of the Board and for failing to conform to the principles of medical ethics of the American Medical Association and opinion 8.19 relating to treatment of an immediate family member; and Dr. Shepherd agrees that he will not reapply for a license to practice medicine and surgery in the State of West Virginia or any other State.

STARO, FRANCIS LOUIS, M.D. – Shepherdstown, WV (09/08/2008)

WV License No. 22437

Board Conclusion: Unprofessional conduct and renewal of a license to practice medicine and surgery by making an incorrect statement in connection with a licensure application.

Board Action: Dr. Staro's license to practice medicine and surgery in the State of West Virginia was SUSPENDED, effective at 12:01 a.m. on August 1, 2008, which SUSPENSION was STAYED IMMEDIATELY, pending Dr. Staro's compliance with all terms and conditions set forth in the Order. Dr. Staro shall complete a total of fifty (50) hours of CME coursework, plus the two (2) hours of CME coursework in the subject of end-of-life care and pain management on or before January 9, 2009. He shall also pay a CIVIL FINE in the amount of \$100 per credit hour for his prior deficiency of fifty (50) hours of CME coursework, including two (2) hours of CME coursework in the subject of end-of-life care and pain management, together with a one-time ADMINISTRATIVE FEE in the amount of \$100, for a total of \$5,100, which fine and administrative fee shall be received by the Board on or before September 15, 2008. Dr. Staro is also PUBLICLY REPRIMANDED for his incorrect statement to the Board with respect to completion of CME.

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BOARD ACTIONS July 2008 — September 2008



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SUN, JEN C., M.D. – Las Vegas, NV (08/29/2008)

WV License No. 23292

Board Conclusion: Presenting a false statement in connection with an application for a license.

Board Action: Dr. Sun, having met the requirements for the issuance of a license to practice medicine and surgery in the State of West Virginia, was GRANTED a license and was PUBLICLY REPRIMANDED for providing inaccurate information to the Board on his licensure application submitted to the Board in November, 2007.

THOMPSON, HOLLY, P.A.-C. – Winfield, WV (09/29/2008)

WV License No. 01062

Board Conclusion: Failure to comply with provisions of W. Va. Code § 30-3-1 et seq. and unprofessional conduct.

Board Action: PUBLICLY REPRIMANDED for continuing to practice as a physician assistant when she was not certified by the National Commission on Certification of Physician Assistants (NCCPA).

VAGLIENTI, RICHARD MARTIN, M.D. – Morgantown, WV (09/08/2008)

WV License No. 15102

Board Conclusion: Relating to malpractice or failure to practice medicine with that level of care, skill and treatment which is recognized by a reasonable, prudent physician engaged in the same or a similar specialty as being acceptable under similar conditions and circumstances.

Board Action: PUBLICLY REPRIMANDED for performing a medical procedure in the wrong location on the patient's body.

VOLTIN, RUSSELL IRVIN, M.D. – South Charleston, WV (08/18/2008)

WV License No. 15994

Board Conclusion: Unprofessional and unethical conduct, and conduct having the effect of bringing the medical profession into disrepute, including a departure from or failure to conform to the current principles of medical ethics of the American Medical Association.

Board Action: Effective June 6, 2008, the license to practice medicine and surgery in the State of West Virginia previously issued to Dr. Voltin was SUSPENDED for a period of three (3) years, and such suspension was immediately STAYED, and Dr. Voltin was placed on PROBATION for a period of three (3) years, until June 6, 2011, during which period of probation Dr. Voltin can continue to practice medicine and surgery in the State of West Virginia unrestricted, provided he continues to comply with all of the rules and regulations of the Board of Medicine and with specific provisions of the Board's Order.

WILLOCK, MURRAY SCOTT, M.D. – Point Pleasant, WV (07/14/2008)

WV License No. 15281

Board Conclusion: Unprofessional conduct and renewal of a license to practice medicine and surgery by making an incorrect statement in connection with a licensure application.

Board Action: The license of Dr. Willock was SUSPENDED effective June 6, 2008, which SUSPENSION was STAYED IMMEDIATELY, pending Dr. Willock's compliance with all terms and conditions set forth in the Order. Dr. Willock paid a CIVIL FINE in the amount of \$100 per credit hour for his prior deficiency of 17.25 hours of CME coursework, including two (2) hours of CME coursework in the subject of end-of-life care and pain management, for the licensure renewal period from July 1, 2005, to June 30, 2007, together with a one-time ADMINISTRATIVE FEE in the amount of \$100, for a total of \$1,825. Dr. Willock was also PUBLICLY REPRIMANDED for his incorrect statement to the Board with respect to completion of CME.

BOARD MEMBER PROFILE

Joe E. Miller, LTCOL USMC (RET) MA

Mr. Miller is one of the three lay members on the Board of Medicine. He was appointed by Governor Joe Manchin III in October, 2007, and serves as a member of the Physician Assistant Committee and the Corporate Practice of Medicine Committee.

A Cum Laude B.S. graduate of Alderson-Broaddus College, Mr. Miller served for twenty years as a U.S. Marine Corps officer, with two tours of combat in the Republic of Vietnam. He retired as a Lieutenant Colonel in 1978, receiving the Meritorious Service Medal, a Bronze Star with Combat "V", two Navy Commendation Medals with Combat "V", a Joint Service Medal, and a Vietnam Cross of Gallantry. Mr. Miller returned to Alderson-Broaddus as Director of Athletics and Chairperson, Health and Physical Education Department, then became Associate Director of Development and Director of Planned Giving. While at Alderson-Broaddus, from 1983 to 1985, Mr. Miller served as a member of the House of Delegates in the West Virginia Legislature, where he was a member of the Education Committee, Joint Interim Higher Education Committee, Banking and Insurance and Government Organization Committees. After successfully completing the work of the positions at Alderson-Broaddus, in 1988, Mr. Miller became Associate Vice President for Institutional Advancement at Marshall University and was the Foundation Manager of the Marshall University Foundation, Inc.

The University of Charleston was Mr. Miller's next stop, where he was Vice President for Advancement and a member of the University Cabinet. He graduated from the Executive Leadership Institute, National Society of Fund Raising Executives, then in 1993, became a Partner in SunAmerica Securities, Inc., and FICON Insurance Company, based in Charleston, where he was a General Securities Registered Representative (series 7) for SunAmerica Securities, Inc., and an Agent for Life, Accident and Health Insurance and Property and Casualty Insurance, as well as an Estate Planning Advisor. In 1997, he was appointed Commissioner of the Division of Motor Vehicles for the State of West Virginia, where he served for almost four years, retiring in 2001.

In 1956, Mr. Miller was a member of the NAIA All America Basketball Team, also winning the Liston Award, the highest NAIA Individual Award, and in 1995, he was inducted into the NAIA National Basketball Hall of Fame. In 1974, he was inducted into the West Virginia Sportswriters Hall of Fame.

Mr. Miller served a six-year term on the Board of Trustees of Alderson-Broaddus College, ending in 2006. He currently serves as Chairman and Commissioner of the Putnam County Public Service District. Other activities include Masonic Lodge, Veterans of Foreign Wars, American Legion, and the Alumni Council, Alderson-Broaddus College.

His hobbies and interests are antique vehicles, golf, sports in general, theater and reading. He resides with his wife, Darleen, in Hurricane.

CHANGE OF ADDRESS FORM

NAME: _____ LICENSE#: _____

(Last) (First) (Middle) (Suffix)

By law, you must keep this office apprised of any and all address changes. If not currently practicing, check here

PREFERRED MAILING ADDRESS (Required):

(This address is public information, except phone & email)

Address 1 _____

Address 2 _____

City, State, Zip, County _____

Phone _____

Email _____

HOME ADDRESS:

Check here if same as preferred mailing address

MAIN WORK ADDRESS:

Check here if same as preferred mailing address

Address 1

Address 2

City, State, Zip, County

Phone Fax

Email

Enter average weekly on call hours for ALL locations: _____

List AVERAGE HOURS worked per week (not on call) at this location:

Direct Patient Care: _____

Administration: _____

Formal Teaching: _____

Research: _____

Other Medical/Podiatric Activities: _____

SECOND WORK ADDRESS:

Address 1

Address 2

City, State, Zip, County

Phone

List AVERAGE HOURS worked per week (not on call) at this location:

Direct Patient Care: _____

Administration: _____

Formal Teaching: _____

Research: _____

Other Medical/Podiatric Activities: _____

THIRD WORK ADDRESS:

Address 1

Address 2

City, State, Zip, County

Phone

List AVERAGE HOURS worked per week (not on call) at this location:

Direct Patient Care: _____

Administration: _____

Formal Teaching: _____

Research: _____

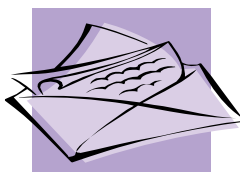
Other Medical/Podiatric Activities: _____

Enter your self-designated primary and secondary SPECIALTY here: (M.D.'s and D.P.M.'s ONLY)
Primary Specialty: _____ Secondary Specialty: _____

LICENSEE'S ORIGINAL SIGNATURE: _____ DATE: _____

RETURN FORM TO: West Virginia Board of Medicine, 101 Dee Drive, Suite 103, Charleston, WV 25311

CHANGE OF ADDRESS INFORMATION



NOTE: There is a Change of Address Form located on Page 9 of this Newsletter. You may also visit the Board’s website at www.wvdhhr.org/wvbom for a Change of Address Form. By law, a licensee of the Board of Medicine must keep this office apprised of any and all address changes. The preferred mailing address of a licensee is the licensee’s address of record, which is public information, with the exception of the telephone number and e-mail address.

WEST VIRGINIA BOARD OF MEDICINE 2008 MEETINGS

November 10

ALL BOARD MEETINGS BEGIN AT 9:00 A.M.

WV Board of Medicine



101 Dee Drive, Suite 103
Charleston, WV 25311

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Fax: 304.558.2084

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