Volume 15, Issue 3

July 2011

September 2011

West Virginia Board of Medicine Quarterly Newsletter



INSIDE THIS ISSUE

board Welliber Profile	1
WVMPHP, INC.	2
About WVMPHP, INC. Allowable Reimbursement For Patient Records Email Safe Return	3
WV Alzheimer's Disease Registry	4 -5
Infection Prevention Course	5
Board Actions	6-7
Use of Social Networking Board Staff	8
Board News Board Members	9
Change of Address Form	10
Change of Address Info Email Addresses Board Meeting Dates	11

BOARD MEMBER PROFILE CATHY M. FUNK, M.D.

Acting Governor Earl Ray Tomblin appointed Cathy M. Funk, M.D., to the Board of Medicine in May 2011. Dr. Funk resides with her husband and two daughters in the Eastern Panhandle of West Virginia where she was raised.

Dr. Funk graduated from West Virginia University in 1994 as a University Honors Scholar, and received her Doctor of Medicine degree in 1998 from West Virginia University School of Medicine. In 1998 she received the WV Rural Health Science Student of the Year award. Her Internal Medicine Residency was at the Charleston Division of West Virginia University School of Medicine, and she was Chief Resident of Internal Medicine from July 2001 through June 2002. She was licensed to practice medicine in West Virginia in 1999, certified by the American Board of Internal Medicine in 2002, and became a Fellow of the American College of Physicians in 2010.

Dr. Funk practices medicine at Panhandle Medical Associates, a hospital and outpatient internal medicine practice in Martinsburg, and is an Assistant Clinical Professor in the Department of Internal Medicine at the Eastern Division of WVU School of Medicine. She won the 2010 Clinician of the Year Award from the Eastern Division of WVU School of Medicine.

Dr. Funk won the President's Young Alumnus Award in 1998 from the WVU School of Medicine Alumni Association and went on to accept the Presidency of the Alumni Association in 2010 and Chair of the WVU School of Medicine Alumni Executive Council in 2011. Dr. Funk is actively involved in the American College of Physicians, West Virginia State Medical Society, and the Eastern Panhandle Medical Society.

Dr. Funk finds time to be involved in community activities, participating in her children's school and their extracurricular activities, is volunteer chair for the medical stations of the "Freedom's Run Marathon" of which her husband is a founding organizer, and she established the ongoing WVUH-East Pediatric Foundation "Kaleidoscopes for Kids" in 2009.

West Virginia Medical Professionals Health Program, Inc.

680 Genesis Blvd., Ste 201 Bridgeport, WV 26330

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4307 MacCorkle Ave., SE Charleston, WV 25364 Phone: 304.933.1030 / 304.414.4000 Fax: 304.933.1006 / 304.414.0401 WEBSITE: www.wvmphp.org

WEBSITE: www.wvmphp.org EMAIL: bhallmd@wvmphp.org

CONFIDENTIALITY

Maintaining participant confidentiality is an integral element of the WVMPHP, Inc. The WVMPHP, Inc., operates under very strict guidelines pertaining to confidentiality. The WVMPHP, Inc., does not (with rare exceptions regarding noncompliance or public risk) disclose the identity or information about any current or former participant without a written release of information.

Many people believe health professionals are immune to addiction & mental illness by virtue of their intelligence, education & dedication to helping others. In fact, health professionals develop substance use disorders (SUDS) at a rate equal to or in excess of the general population rate of 10-15% lifetime incidence. Depression is also as common in health professionals as in the general population with a lifetime prevalence of almost 16%. Suicide is found in higher rates for physicians at a 40% increase in male physicians and is two times more common in female physicians. Physical illness has a 10% lifetime incidence.

Perhaps more alarming are the barriers health professionals face in accessing treatment for addiction and/or mental health problems. The medical culture does not train health professionals to seek help or admit vulnerabilities. Fears of stigma, discrimination, loss of confidentiality, disciplinary action, licensing problems and career damage all result in health professionals seeking treatment at lower rates than the general population.

Difficulty in recognition, acknowledging and accepting addiction or mental illness and the need for help may lead to health professionals sacrificing all other areas of their lives to conserve their professional identity and ability to practice. As other areas of their lives deteriorate, the workplace is usually the last arena impacted. Yet, once identified & adequately treated, addiction & mental illness do not impair the professional's competence and need not impact the professional's credibility or continued ability to practice medicine. Early identification, intervention, diagnosis and treatment may be career & life saving. Another benefit of treatment is health professionals are better able to identify and treat addiction & mental illness in their own patients.

Treatment Works

WVMPHP, Inc., advocates for the right of healthcare professionals to continue practicing when there is documentation their substance use disorder and/or mental illness is in remission. For healthcare professionals entering intensive evaluation and/or treatment and participating in an extended comprehensive continuing care and monitoring program, the success rates for long term recovery are excellent.

WVMPHP, Inc., documentation provides confidence that reasonable measures have been taken to ensure a participant's ability to practice professionally without ongoing impairment. Evidence of recovery is obtained through behavioral observations, evidence of healthy choices, and active participation in recovery activities. Objective documentation of abstinence is gained through drug/alcohol testing. Areas in which advocacy is appropriate include workplace reintegration, professional credentialing or licensure, malpractice insurance coverage, and utilizing and maintaining insurance benefits.

ABOUT WVMPHP, INC.

The West Virginia Medical Professionals Health Program was established as a 501(c)(3) not-for-profit corporation in 2007. The Board of Directors of WVMPHP, Inc., is comprised of 12 members nominated to the Board by the West Virginia State Medical Association, West Virginia Hospital Association, West Virginia Podiatric Medical Association, West Virginia Mutual Insurance Company, West Virginia Society of Osteopathic Medicine, Inc., West Virginia Association for Physician Assistants and the West Virginia Society of Addiction Medicine Specialists. The Board is currently comprised of Curtis Arnold, DPM, Hoyt Burdick, MD, Edward Eskew, DO, P. Bradley Hall, MD, William G. MacLean, Bruce Martin, Lorenzo Pence, DO, Joseph Selby, MD, Pam Moyers Scott, PAC, Elizabeth Spangler, MD, F. Thomas Sporck, MD, and Carl R. Sullivan III, MD.

The WVMPHP, Inc., is headed by P. Bradley Hall, MD, as the Executive/Medical Director, who holds a seat on the Board of Directors of the National Federation of Physician Health Programs and has worked jointly with the Federation of State Medical Boards in developing and updating policy and definitions related to the early identification and rehabilitation of physicians, podiatrists and physician assistants with potentially impairing health concerns including alcohol and chemical dependency. Dr. Hall recently co-authored the 11 public policies on physician health for the American Society of Addiction Medicine.

REMINDER ON ALLOWABLE REIMBURSEMENT FOR PATIENT RECORD COPIES WHEN REQUESTED

By law, health care providers may not charge more than a maximum of 75 cents per page at the time of delivery of the medical records. Also, the \$10 "Search Fee" allowed by West Virginia Law has been preempted and voided by HIPAA. An indigent person may not be charged for a copy of his/her medical records if the medical records are necessary for the purpose of supporting a claim or an appeal under any provision of the Social Security Act. See West Virginia Code § 16-29-1 and 2. Health Care Records.

EMAIL

At the time the term "email" was copyrighted in 1982, only 1,000 email accounts existed in the entire world. As of 2011, there are 3.1 billion known email accounts. This immense growth as a medium for written communication is recognized by the Board of Medicine. With its efficiency in speed and reduced cost compared to paper communications and reliance upon mail carriers, email has taken a prominent role in how licensees, applicants, and others communicate with Board staff and we to them. For example, within the past year, the Board has begun to send its quarterly newsletter by email as opposed to bulk U.S. Mail.

Make no mistake, the need for original documentation in many instances still remains, but email is now widely used to communicate with the Board office. As the use of email continues to grow, so does the need for licensees to keep email addresses current with the Board of Medicine. The Board's ability to contact you is only as good as the information we receive from you. We urge you to please notify us of any changes in your email address, in addition to your mailing address and telephone numbers. A change of address form is available online for this purpose, which you may mail, fax, or scan and attach to email to notify us of any changes.

SAFE RETURN

The Board and Staff of the West Virginia Board of Medicine welcome home Charleston neurosurgeon, Rida Suleiman Mazagri, M.D., from his five-month ordeal and imprisonment in Libya during the recent rebellion.

The West Virginia Alzheimer's Disease Registry is Here and Reporting is Required

The West Virginia Alzheimer's Disease Registry is a state-mandated database that collects information concerning Alzheimer's disease and related disorders among West Virginians. It acts as a central information repository for policy, planning and research concerning Alzheimer's disease and related disorders.

***Data reporting by physicians is required by state law and providing patient data to the Registry does not violate the Health Insurance Portability and Accountability Act (HIPAA). ***

Information about a person who is diagnosed by a physician as having Alzheimer's disease or a related dementia should be entered into West Virginia Alzheimer's Disease Registry database electronically through the West Virginia Alzheimer's Disease Registry website at www.wvadr.hsc.wvu.edu/, by using the paper form that is electronically fillable from the website or by obtaining a paper form by contacting the West Virginia Alzheimer's Disease Registry. The completed form must be mailed or faxed to the West Virginia Alzheimer's Disease Registry, West Virginia University, PO Box 9302, Morgantown, WV 26506. Fax number: (304) 293-4855 or toll-free (877) 329-9823 (FAX-WVAD).

Frequently asked questions about the West Virginia Alzheimer's Disease Registry

1. How will the patient data be utilized?

Patient data will only be used to generate statistical summaries of demographic, diagnostic and treatment information that will be used to advise physicians, patients, caregivers and decision makers at local and state levels about the medical, social and economic impact of Alzheimer's disease in West Virginia. These summary data may also be used to improve the diagnosis, treatment, and care of patients with Alzheimer's disease and related dementias.

2. How do I access the Registry?

To enter patient data you may access the registry database directly at https://www.wvadregistry.com/ where you can obtain a unique username and password if you have a West Virginia Medical License Number. At this time, the site is compatible only with Internet Explorer Versions 7 and 8. Work is underway to add compatibility with other Internet browsers. When your name and license number have been verified, you will receive a Username and temporary password. This password must be changed once you enter the Registry database. Once you are familiar with the information required, data entry by you or someone in your office can take less than ten minutes per patient.

To find out more information about the West Virginia Alzheimer's Disease Registry you may go to http://www.wvadr.hsc.wvu.edu/ where you will find information about the history of the Registry, information about Alzheimer's disease, rules governing both the Registry and information to be collected from patients, HIPAA compliance, links to related organizations, a printable version of the Registry data form, and you can enter the registry database through a login link in the Physician's Corner section of the website.

The West Virginia Alzheimer's Disease Registry is Here and Reporting is Required

continued from page 4

3. How do I enter patient data into the Registry?

Patient information may be entered into an electronic data form at the registry database https://www.wvadregistry.com/. This form appears after the physician or someone from the physician's office chooses to register a new patient in the registry database. You can also get to the registry database through the West Virginia Alzheimer's Disease Registry website http://www.wvadr.hsc.wvu.edu/.

Patient information may also be submitted to West Virginia Alzheimer's Disease Registry by filling out a one-page paper form that can be downloaded from the registry website http://www.wvadr.hsc.wvu.edu/ or mailed to the physician's office. The blank form can be copied as many times as necessary. Once completed, the form can be faxed or mailed to the Registry.

4. How will my patient's private health information be protected?

To ensure patient confidentiality, patients will be assigned a unique identifying number. All patient information is stored on a secure, encrypted, password-protected database server. Access to patient's private health information is restricted to the Director of the Registry. Only summary statistical data on the cohort of patients will be released by the Registry.

5. Who is required to provide the patient information?

The West Virginia Legislature in "The Alzheimer's Special Care Standards Act" (W. Va. Code §16-5R) mandated that all sources including hospitals, physicians, facilities, clinics or other units diagnosing or providing treatment or care for Alzheimer's disease and related disorders, shall provide a report of each case to the Alzheimer's Disease Registry. This means the Legislature has made reporting mandatory. In practical terms, only a physician may diagnose and treat a patient with dementia so that a physician or one of his/her staff would be required to report patient information to the Registry.

6. Who can I contact for additional information or if I have questions?

You can contact:

Bernard G. Schreurs, Ph.D., Director West Virginia Alzheimer's Disease Registry West Virginia University PO Box 9302

Morgantown, WV 26506 Email: wvadr.hsc.wvu.edu

Tel: (304) 293-0186 or Toll-free: (877) 988-2373 (WVU-ADRD) to leave a message

Fax: (304) 293-4855 or Toll-free: (877) 329-9823 (FAX- WVAD)

Bureau for Public Health Sponsoring Infection Prevention Course

The West Virginia Bureau for Public Health is sponsoring the Association for Professionals of Infection Prevention and Epidemiology, Inc.'s Ambulatory Surgery Center infection prevention course at the Charleston Civic Center in Charleston, WV, on October 27 and 28. The course is free to all attendees. Seating is limited to 250 and registration has begun. If you are interested in attending, please contact Thein Shwe, MPH, MS, MBBS, at the Office of Epidemiology and Prevention Services, Bureau for Public Health at 304.558.5358 or via email at thein.shwe@wv.gov.



BOARD ACTIONS July 2011—September 2011



BOGGS, LINDA RITA, P.A.-C. - Lenore, WV (09/12/2011)

WV License No. 00005

<u>Board Conclusion</u>: Relating to unprofessional conduct and the inappropriate prescribing of controlled substances.

<u>Board Action</u>: PUBLICLY REPRIMANDED for her unprofessional conduct; paid a CIVIL FINE of \$500; and shall within six (6) months of the entry of the Consent Order successfully complete a Board-approved continuing medical education course in the subject of the appropriate prescribing of controlled substances and provide proof of completion of this course to the Board.

CORBIN, MICHAEL WELFORD, M.D. - Point Pleasant, WV (08/24/2011)

WV License No. 19349

<u>Board Conclusion</u>: Relating to unprofessional and unethical conduct and relating to failing to perform any statutory or legal obligation placed upon a physician.

<u>Board Action</u>: PUBLICLY REPRIMANDED for his unprofessional conduct; terms and conditions, which include, in part, surrender of his Drug Enforcement Administration buprenorphine identification number; notification to the Center for Substance Abuse Treatment that he will no longer be a participant in any DATA 2000 (SAMHSA/CSAT) treatment program in the State of West Virginia; pay a CIVIL FINE of \$2,000; within six (6) months, successfully complete a pre-approved continuing medical education course in the subject of appropriate medical record keeping and provide proof of completion.

FREDERICK, LIZA A., M.D. – Charleston, WV (07/11/2011)

WV License No. 17975

<u>Board Conclusion</u>: Failure to comply with all the conditions of her probation set forth in the April 11, 2011, Consent Order she entered into with the Board.

<u>Board Action</u>: Effective July 13, 2011, the STAY of SUSPENSION of Dr. Frederick's West Virginia medical license was DISSOLVED and TERMINATED.

LORENZO, DANIEL MICHAEL, JR., M.D. – Greensburg, PA (07/22/2011)

WV License No. 21244

<u>Board Conclusion</u>: Failure to comply with the Board requirements relating to continuing medical education.

<u>Board Action</u>: Effective July 22, 2011, GRANTED an active medical license; paid to the Board a FINE of \$1,000 for failing to comply with the Board's continuing medical education requirements.

MASIH, RAJAN BAKHSHISH, M.D. – Petersburg, WV (07/11/2011)

WV License No. 19166

<u>Board Conclusion</u>: Found guilty by a court of competent jurisdiction of a felony involving prescribing a prescription drug including a controlled substance under state or federal law for other than generally accepted therapeutic purposes.

Board Action: License REVOKED effective July 12, 2011.



BOARD ACTIONS July 2011—September 2011 continued from page 6



PORTER, GREGORY, P.A.-C. - Charleston, WV (08/01/2011)

WV License No. 00672

Board Conclusion: Habitual user of drugs.

<u>Board Action</u>: Shall continue his treatment for opioid dependence at Charleston Psychiatric Group and shall comply with terms specified in the Consent Order.

PROLER, MEYER LEON, M.D. – Houston, TX (08/03/2011)

WV License No. 21443

<u>Board Conclusion</u>: Relating to unprofessional conduct and disciplinary action being taken against a medical license in another jurisdiction.

Board Action: PUBLICLY REPRIMANDED for his unprofessional conduct.

RODRIGUEZ-CAYRO, NARCISO A., M.D. – Princeton, WV (09/08/2011)

WV License No. 13803

<u>Board Conclusion</u>: Relating to unethical or unprofessional conduct due to his unethical termination of the physician-patient relationship.

<u>Board Action</u>: PUBLICLY REPRIMANDED for his unethical and unprofessional conduct relating to his abrupt termination of the physician-patient relationship. Dr. Rodriguez-Cayro paid a CIVIL FINE in the amount of \$1,000, and the complaints against him were dismissed.

ROSEN, JEFFREY DAVID, M.D. – Ludlow, VT (09/07/2011)

WV License No. 21043

Board Conclusion: Relating to being denied a license to practice medicine in another state.

<u>Board Action</u>: License SURRENDERED effective September 7, 2011. Dr. Rosen agrees that should he apply for medical licensure in the future in West Virginia, licensure will be denied.

TOSSON, HANAN MAHMOUD, M.D. – Morgantown, WV (07/11/2011)

WV License No. 22845

<u>Board Conclusion</u>: Relating to unprofessional conduct; making an incorrect statement in connection with a licensure renewal application; and failure to comply with a lawfully issued subpoena of the Board.

Board Action: License REVOKED effective July 15, 2011.

REVOCATION OF MEDICAL CORPORATION CERTIFICATES

September 12, 2011

Frederick Anesthesia, Inc.
Transformations Weight Loss & Skin Clinic, Inc.

OEPS USES SOCIAL NETWORKING

With more than 400 million worldwide users of Facebook and over 50 million tweets per day on Twitter, West Virginia public health officials are beginning to tap into the social marketing networks with public health messages of prevention.

The West Virginia Department of Health and Human Resources Office of Epidemiology and Prevention Services (OEPS) is now using Facebook and Twitter to share prevention messages regarding STDs, HIV, Hepatitis, Cancer data, immunization, infectious diseases, hemophilia and tuberculosis. OEPS plans to use the popular online social networking sites to announce recalls and health alerts that are issued in West Virginia.

The goal of the online marketing effort is to reach West Virginians with simple, easy to understand disease prevention messages.

Some messages shared include:

- Athletes can protect themselves from serious skin infections. Talk to an athlete you love now.
- Does your county have raccoon-strain rabies?
- Traveling outside the U.S. and need to know what shots are recommended.
- The most common cancer in West Virginia males in 2008 was prostate cancer.
- Hundreds of people in West Virginia have HIV (the AIDS virus), but they don't know it because they haven't been tested. Protect yourself!

The Nielsen Company reported in June 2010, that social marketing accounted for nearly 22% of all time spent online or one in every four and half minutes. Their report noted that the average visitor spends 66% more time on these sites than a year ago, almost 6 hours in April 2010 versus 3 hours, 31 minutes last year.

To receive updates from OEPS go to www.facebook.com/BPHEPI or www.twitter.com/BPHEPI.

To learn more about the social marketing efforts of OEPS, go to www.dhhr.wv.gov/oeps.

Ext#	Staff of the	e West Virginia Board of Medicine 304.558.2921
227	Robert C. Knittle, M.S.	Executive Director
214	Deborah Lewis Rodecker, J.D.	General Counsel
215	Heather L. Olcott, J.D.	Disciplinary Counsel
211	Lori Blaney	Paralegal
212	M. Ellen Briggs	Executive Assistant
210	Wendy L. Greene	Physician Assistant Coordinator
222	Leslie A. Inghram, CMBI	Supervisor of Investigation and Complaints
224	Kimberly Jett	Receptionist/Certification and Verification Coordinator
213	Charlotte Ann Pulliam	Complaint Coordinator
220	Deborah D. Scott	Fiscal Officer
221	Sheree J. Thompson	Licensure Analyst
218	Teresa L. Westfall	Records Management Assistant

BOARD NEWS

The Board's President, *Reverend O. Richard Bowyer*, was the recipient of the Excellence in Health Care Award from the West Virginia Primary Care Association for recognition of his outstanding vision, dedication, and commitment to the delivery of primary care in West Virginia.

Catherine C. Slemp, M.D., M.P.H., resigned her position as Acting State Health Officer and Secretary of the Board of Medicine effective September 14, 2011. Dr. Slemp served as the Board's Secretary for nine (9) years. Her immediate plans are to focus on her family and enjoy her children after being heavily invested in the work of the Bureau for Public Health.

Effective September 15, 2011, *Marian Swinker, M.D., M.P.H.*, assumed her new role as Commissioner of the Bureau for Public Health and Secretary of the Board of Medicine. We welcome Dr. Swinker to the Board of Medicine.

Governor Earl Ray Tomblin appointed Board member, *M. Khalid Hasan, M.D.*, to serve on the Governor's Advisory Council on Substance Abuse to improve the statewide continuum of care for substance abuse and coordinate efforts to increase both public and private support of substance abuse initiatives.

As of August 2011, *Leslie A. Inghram, CMBI*, has been promoted to the position of Supervisor of Investigation and Complaints. In this new position in the office of the Board of Medicine, Ms. Inghram will provide oversight and supervision of the internal complaints process in addition to her role as the Investigator for the Board of Medicine. Ms. Inghram brings over 19 years experience with the Board of Medicine to this position and is recognized within the state and nationally for her investigative work and expertise in complaint handling processes on behalf of the public safety in the practice of medicine.

West Virginia Board of Medicine Board Members

Rev. O. Richard Bowyer, President
Fairmont

Michael L. Ferrebee, M.D., Vice President Morgantown

Marian Swinker, M.D., M.P.H., Secretary Charleston

R. Curtis Arnold, D.P.M. South Charleston

Rusty L. Cain, D.P.M. Fairmont

Ahmed Faheem, M.D. Beckley

Cathy M. Funk, M.D. Martinsburg

M. Khalid Hasan, M.D. Beckley Beth Hays, M.A. Bluefield

Cheryl Henderson, J.D. Huntington

Carlos C. Jimenez, M.D. Glen Dale

G. Mark Moreland, M.D. Nitro

Kenneth C. Nanners, M.D. Wheeling

Badshah J. Wazir, M.D. South Charleston

Kenneth Dean Wright, P.A.-C. Huntington

CHANGE OF ADDRESS FORM

NAME:		LICENSE#:
(Last) (First) By law, you must keep this office apprised of a	(Middle) ny and all address changes.	(Suffix)
PREFERRED MAILING ADDRESS (Re (This address is public information, except phone	• •	HOME ADDRESS: ☐ Check here if same as preferred mailing address
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	Address 2	
	City, State, Zip, Co	unty
	Phone	
	Email	
MAIN WORK ADDRESS:		
☐ Check here if same as preferred mailing add		ter average weekly on call hours for ALL loca-
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CHANGE OF ADDRESS INFORMATION

NOTE: There is a Change of Address Form located on Page 10 of this Newsletter. You may also visit the Board's website at www.wvbom.wv.gov 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 email address.

EMAIL ADDRESSES



Since the Board is no longer mailing paper copies of its newsletter, it is important that you keep us apprised of your current email address. As licensees of this Board, you are charged with knowledge of the contents of each newsletter.

To provide a current email address, please send an email containing your name and license number to the Board at wvbomnewsletter@wv.gov.

REMEMBER, all newsletters may be accessed at our website at www.wvbom.wv.gov/newsletter.asp. Publication dates are: January, April, July, and October.

WEST VIRGINIA BOARD OF MEDICINE 2011 MEETINGS November 14 ALL BOARD MEETINGS BEGIN AT 9:00 A.M.