

West Virginia Board of Medicine

Quarterly Newsletter



BOARD MEMBER PROFILE **Marian Swinker, M.D., M.P.H.**

Since September 16, 2011, Dr. Swinker has served as the Board's Secretary. She is the new Commissioner of the Bureau for Public Health.

Dr. Swinker obtained her B.S. from the University of Pittsburgh, in Pittsburgh, Pennsylvania, and then went on to the University of Pittsburgh Graduate School of Public Health for her M.P.H. Her M.D. degree was received at Pennsylvania State University College of Medicine in Hershey, Pennsylvania. She interned at West Virginia University Department of Obstetrics and Gynecology, in Morgantown, West Virginia; was then a Resident at WVU in the Department of Family Practice, where she was Chief Resident in 1982; and completed a Fellowship at WVU in Preventive Medicine: Occupational and Environmental Medicine. Her hospital appointments included WVU Hospital in Morgantown from 1983 through 1994. Dr. Swinker retains her Board Certification by and is a Diplomate of the American Board of Family Practice and is Board Certified by and a Fellow of the American Board of Preventive Medicine: Occupational and Environmental Medicine. She has been a Certified Medical Review Officer from 1994 through 2004 by the Medical Review Officer Certification Council (MROCC) for regulated drug testing.

Dr. Swinker has served as a chemistry technician for the Pennsylvania Department of Environmental Resources, a Clinic Physician for the National Health Service Corps in Burton, West Virginia, and a Professor in the Department of Family Medicine at WVU School of Medicine. From 1994 through August 2011, she was a Professor in the Department of Family Medicine at East Carolina University (ECU) School of Medicine. She also served as Employee Health Physician and was the Director of the Office of Prospective Health from 1997 through August 2011. From 2003 until her departure from ECU, Dr. Swinker was the responsible official at East Carolina University for the U.S. Centers for Disease Control and Prevention Select Agent Program.

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BOARD MEMBER PROFILE

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

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Dr. Swinker was a faculty member in the Master of Public Health program at ECU from 2005 through 2010. She was the Medical Director for Occupational Health at Pitt County Memorial Hospital in Greenville, North Carolina, from 1994 through 2005. She conducted case reviews for attorneys and independent medical evaluations for fifteen (15) years.

Dr. Swinker is a member of the American College of Occupational and Environmental Medicine, the Southeastern Atlantic College of Occupational and Environmental Medicine, the Pitt County Medical Society, the North Carolina Medical Society, and the North Carolina Academy of Preventive Medicine. She has served on a number of national, state, local and hospital committees, is the lead author of a wide variety of publications, and has written abstracts, editorials, commentary, monographs, and a book chapter in The Handbook of Occupational Infectious Disease published by ACOEM, 2000, Alain J. Couturier, M.D., Editor, 2nd Edition 2008, William Wright, Editor. She has given numerous continuing medical education, community and other lectures, has been involved in a wide variety of community service wherever she has been, and among her honors and awards was a 1986 People to People Citizen Ambassador Program trip to Russia and Scandinavia as a member of the Family Medicine Delegation.

Dr. Swinker holds medical licensure in both North Carolina and West Virginia.

West Virginia Board of Medicine Board Members

Rev. O. Richard Bowyer, President
Fairmont

Beth Hays, M.A.
Bluefield

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

Cheryl Henderson, J.D.
Huntington

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

Carlos C. Jimenez, M.D.
Glen Dale

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

G. Mark Moreland, M.D.
Nitro

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

Kenneth C. Nanners, M.D.
Wheeling

Ahmed Faheem, M.D.
Beckley

Badshah J. Wazir, M.D.
South Charleston

Cathy M. Funk, M.D.
Martinsburg

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

M. Khalid Hasan, M.D.
Beckley



BOARD ACTIONS October 2011—December 2011



EL-KHATIB, ABBAS YOUSEF, M.D. – Ypsilanti, MI (11/14/2011)

WV License No. 17908

Board Conclusion: Relating to failing to comply with the Board requirements relating to continuing medical education.

Board Action: Active license GRANTED. Paid a \$1,000 FINE for failing to comply with the Board's continuing medical education requirements.

FREDERICK, LIZA ANTONETTE, M.D. – Charleston, WV (11/30/2011)

WV License No. 17975

Board Conclusion: Relating to violating an order of the Board.

Board Action: Effective November 30, 2011, license suspended for a period of three (3) years, the suspension was immediately stayed, and the license was placed on PROBATION for a period of three (3) years, subject to compliance with conditions.

KUBICKI, KRZYSZTOF JERZY, M.D. – Chester, WV (11/22/2011)

WV License No. 17474

Board Conclusion: Relating to the inability to practice medicine and surgery. . .with reasonable skill and safety due to. . .abuse of drugs or alcohol.

Board Action: By Amended Consent Order dated November 22, 2011, commencing December 1, 2011, for a one (1) year period, Dr. Kubicki shall practice no more than forty (40) hours a week and may have on-call time no more than once every third night, and one (1) weekend per month. Dr. Kubicki shall appear before the Board's Complaint Committee at its meeting in November 2012. He remains under probation until March 2013.

LILLY, JOSIAH KENNETH, III, M.D. – Charleston, WV (11/14/2011)

WV License No. 11322

Board Conclusion: Relating to demonstrating a lack of professional competence to practice medicine with a reasonable degree of skill and safety for patients; and relating to delegating professional responsibilities to a person whom the licensee knew or had reason to know is not qualified by training or experience to perform the responsibilities.

Board Action: License placed on PROBATION for a period of five (5) years effective November 14, 2011, and may continue to practice medicine without restriction, pending his compliance with terms and conditions set forth in the Consent Order. PUBLICLY REPRIMANDED and FINED \$5,000.

MALIK, TARIQ MAHMOOD, M.D. – Rockville, MD (10/05/2011)

WV License No. 23794

Board Conclusion: Relating to disciplinary action being taken against a medical license in another jurisdiction.

Board Action: PUBLICLY REPRIMANDED for his unprofessional conduct.

MORTON, DANA RUTH, M.D. – Fairmont, WV (11/22/2011)

WV License No. 24302

Board Conclusion: Alcoholism.

Board Action: License again GRANTED for a period of one (1) year with conditions, limitations, accommodations, and restrictions. Said license is immediately revoked and immediately stayed.

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BOARD ACTIONS
October 2011—December 2011
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NAJMUDDIN, ASIF ANWARALI, M.D. – Morgantown, WV (10/05/2011)

WV License No. 24632

Board Conclusion: Relating to unprofessional conduct.

Board Action: License GRANTED effective October 5, 2011, and shall be in a PROBATIONARY status for a two (2) year period with specified terms.

PUCKETT, FRANKIE ALLEN, M.D. – Huntington, WV (10/11/2011)

WV License No. 22820

Board Conclusion: Relating to his failure to keep written records justifying the course of treatment of a patient; prescribing a prescription drug, including controlled substances, other than in good faith and in a therapeutic manner in accordance with accepted medical standards and in the course of the physician's professional practice; dishonorable, unethical or unprofessional conduct likely to deceive, defraud or harm the public and departure from acceptable medical practice or ethics; unprofessional, unethical and dishonorable conduct; and gross negligence in the use and control of prescription forms.

Board Action: License SUSPENDED effective October 11, 2011, and said suspension was immediately STAYED, and Dr. Puckett was placed on PROBATION for a period of five (5) years, subject to specified terms.

SANDHIR, AJAI K., M.D. – Fairfax, VA (10/31/2011)

WV License No. 21395

Board Conclusion: Failing to comply with the Board requirements relating to continuing medical education.

Board Action: Active license GRANTED. Paid a \$1,000 FINE for failing to comply with the Board's continuing medical education requirements.

SCHEMENAUER, STEPHEN, P.A.-C. – Marietta, OH (12/02/2011)

WV License No. 01309

Board Conclusion: Habitual user of intoxicants or drugs; unprofessional conduct.

Board Action: License REINSTATED effective December 2, 2011, for a period of one (1) year, under terms.

??? DID YOU KNOW ???

When the Board of Medicine as part of a disciplinary action imposes a fine on a physician, podiatrist, or physician assistant, the fine by law, is deposited in the general revenue funds of the State of West Virginia. The Board of Medicine does not financially benefit from the fine. Under the Constitution of West Virginia Article 12, Section 5, the Legislature is to appropriate the net proceeds of all fines accruing to the State for the support of free schools.

FEDERAL JUDGE SENDS A MESSAGE TO PHYSICIANS WHEN SENTENCING A SOUTHERN WEST VIRGINIA PHYSICIAN ON A DRUG CHARGE

In October 2011, there was a sentencing hearing in the United States District Court for the Southern District of West Virginia of a physician who entered a guilty plea of one (1) count of an Indictment charging the physician with unlawfully acquiring and obtaining possession of Oxycodone and Amphetamine/Dextroamphetamine and attempting to do so by fraud and deception. At the hearing, Judge Thomas E. Johnson stated that there is a pervasive drug abuse problem in the Southern District of West Virginia and that sometimes doctors are part of the problem. The physician was sentenced to forty eight (48) months imprisonment to be followed by one (1) year of supervised release. Judge Johnson was quoted as follows: "Doctors bear a special responsibility, and this was an abuse of a position of trust. Harsher sentences await medical professionals who contribute to the prescription drug abuse problems."

*(From an October 13, 2011, Press Release
from the Office of the United States Attorney, Northern District of West Virginia)*

BOARD NEWS

Governor Earl Ray Tomblin appointed Board member **Ahmed Faheem, 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. Dr. Faheem was appointed as a representative of the Comprehensive Behavioral Health Commission.

This past September, after nearly seven (7) years with the Board of Medicine, **Michael Lilly** left the position of Information Systems Coordinator to pursue new opportunities. Mike was well liked by staff and a valuable asset to the office for computer and informational needs. His skills and presence were valued. Following Mr. Lilly's departure, however, we are very pleased to announce that **Austin Miller** has joined our staff and has capably filled this position. Mr. Miller comes to us with degrees in Business Management and Computer Science and is well experienced in handling hardware, software and network issues. We wish Mr. Lilly the best of success in his new pursuits and at the same time are fortunate to have with us someone of Mr. Miller's abilities and experience.

Staff of the West Virginia Board of Medicine 304.558.2921		
Ext #		
227	Robert C. Knittle, M.S.	Executive Director
214	Deborah Lewis Rodecker, J.D.	General Counsel
215	Vacant	Disciplinary Counsel
212	M. Ellen Briggs	Executive Assistant
211	Vacant	Paralegal
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
216	Austin Miller	Information Systems 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

LICENSING STATISTICS As of December 31, 2011

MEDICAL DOCTORS

Medical Licenses Granted
This Year
381

Active Licensed
Medical Doctors
5,962

Active Licensed
Medical Doctors
Practicing in West Virginia
3,946

Inactive Licensed
Medical Doctors
628

PODIATRISTS

Podiatric Licenses Granted
This Year
2

Active Licensed
Podiatrists
101

Active Licensed
Podiatrists
Practicing in West Virginia
72

Inactive Licensed
Podiatrists
15

PHYSICIAN ASSISTANTS

Physician Assistant
Licenses Granted
This Year
69

Active Licensed
Physician Assistants
671

ANNUAL REPORT TO THE LEGISLATURE

In accordance with West Virginia State statute, the Board has submitted its Annual Report to the Legislature, outlining its activities for the past calendar year. A copy of the report is available on the Board's website at www.wvbom.wv.gov.

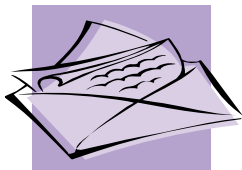
NOTICE REGARDING UPCOMING RENEWAL

Those medical doctors whose last names begin with the letters A through L will be renewing their medical licenses for the period July 1, 2012, to June 30, 2014. In mid-May 2012, the Board will have available on its website an online application.

Beginning in May 2012, those who are unable to renew online must request a paper application from the Board.

Further information will be provided in the first quarter Board Newsletter, which will be coming to you in April 2012.

www.wvbom.wv.gov



CHANGE OF ADDRESS INFORMATION

NOTE: There is a Change of Address Form located on the Board's website at www.wvbom.wv.gov. 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 2012 MEETINGS

January 9
March 12
May 21
July 9
September 10
November 5

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