

WEST VIRGINIA BOARD OF MEDICINE

Complaint Committee Meeting Minutes

September 10, 2023

A meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 10th day of September 2023 beginning at 12:30 p.m.

The following Committee members were present:

David A. Mullins, MD, Complaint Committee Chair
Angela A. Mayfield
Christopher J. Tipton, PA

The following Committee member was absent:

Jonathan P. Lilly, MD, Vice President

The following Staff members were present:

Mark A. Spangler, MA
Jamie S. Alley, Esquire
Greg Foster, Esquire
Leslie A. Thornton, CMBI
Jacob W. Spradling

**CALL TO
ORDER**

Dr. Mullins called the meeting to order.

**APPROVAL
OF**

MINUTES Mr. Tipton made a motion to approve the minutes of the July 9, 2023 Complaint Committee meeting and the August 4, 2023 special meeting. Ms. Mayfield seconded the motion, and the motion carried.

BOARD

COUNSEL REPORT Mr. Foster provided an update with respect to the Consent Orders offered by the Committee. Since the July meeting, a fully executed Consent Order has been entered with respect to each of the following licensees:

CONSENT ORDERS		
Licensee	Entry Date	Summary and Terms
Gene Bermejo Duremdes, MD Complaint No. 23-36-W	August 7, 2023	This physician was fined \$500.00 for failing to disclose a medical malpractice settlement in association with his 2022 licensure renewal application.
Deborah Thoren Mowery, MD Complaint No. 22-80-W	August 7, 2023	This physician was fined \$925.00 for a CME deficit of 9.25 hours.
Raymond Omar Rushden, MD Complaint No. 23-57-W	August 7, 2023	In resolution of the pending complaint, this physician permanently surrendered his West Virginia medical license.

EXECUTIVE

SESSION Mr. Tipton made a motion that the Public Session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6), and West Virginia Code § 30-3-6 to discuss pre-probable cause disciplinary matters, matters effecting a license, and information that, if disclosed, would constitute an unwarranted invasion of privacy. Ms. Mayfield seconded the motion, and the motion carried.

PUBLIC

SESSION The Committee re-entered Public Session.

The Committee undertook a discussion of its investigatory protocols, specifically regarding investigatory action concerning the receipt of patient medical records. At the conclusion of the Committee discussion, Ms. Mayfield moved that the Committee delegate authority to Board staff to subpoena medical records in association with complaints pending Committee review if the complaint sets forth allegations of professional misconduct that arise from and/or relate to a patient death or serious injury; and the records are relevant to the allegations in the complaint and would assist the Committee in its review. Mr. Tipton seconded the motion, and the motion carried.

**COMPLAINT
COMMITTEE**

ACTIONS Mr. Tipton moved that the Committee take the following actions:

CLOSURES

23-28-D	Sandra K. May, PA
23-38-J	Sandra K. May, PA
22-131-T	Patrick Edwin Hill, MD
23-25-G	Ziad Dimachkie, MD
23-26-G	Dawn Reed Jones, MD
22-105-G	John Ming-Yi Lee, MD
23-19-G	Omar Nadra, MD
23-48-W	Stephen Mark Cohen, MD
23-49-W	Rachel S. Gilman, MD
23-51-W	Navita Modi, MD
23-13-W	Kimberly Dawn Slater, PA
22-92-W	Pieter Alexander Verhoeven, MD
23-61-W	Shadi Jabr Abu-Halimah, MD
23-58-F	Joshua Morgan Cusick-Lewis, MD
23-59-F	John Walton Hannah, MD
23-62-B	David Richard Lough, MD
23-53-M	Mark Charles Nenow, MD
23-90-D	Humayun Rashid, MD
23-91-N	Robert Lee Vawter, MD

INITIATED COMPLAINTS

23-100-W
23-101-W
23-102-W
23-103-W
23-104-W
23-105-W
23-106-W

23-107-W

WITHDRAWAL OF PREVIOUSLY INITIATED COMPLAINT

23-84-W

Ms. Mayfield seconded the motion, and the motion carried.

Mr. Tipton moved that the Committee seek authority from the Board to issue Consent Orders or Amended Consent Orders in five ongoing matters. Ms. Mayfield seconded the motion, and the motion carried.

The Committee received and considered a petition from Terry Gene Sanders, II, MD, to lift his probation and return his license to unencumbered status. Having carefully considered the request, Mr. Tipton moved that the Committee recommend that the Board approve his request and enter an Order terminating Dr. Sanders' probation. Ms. Mayfield seconded, and the motion carried.

ADJOURNMENT There being no further business, the Complaint Committee determined by consensus to adjourn.



David A. Mullins, MD
Chair of the Complaint Committee