

WEST VIRGINIA BOARD OF MEDICINE

Complaint Committee Meeting Minutes

November 5, 2023

A meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 5th day of November 2023 beginning at 12:30 p.m.

The following Committee members were present:

David A. Mullins, MD, Complaint Committee Chair
Jonathan P. Lilly, MD, Vice President
Angela A. Mayfield
Christopher J. Tipton, PA

The following Staff members were present:

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

**CALL TO
ORDER**

Dr. Mullins called the meeting to order.

**APPROVAL
OF**

MINUTES Dr. Lilly made a motion to approve the minutes of the September 10, 2023 Complaint Committee meeting. Mr. Tipton 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 September 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
Rodney Harry Cowans, MD Complaint No. 23-74-W	October 5, 2023	These licensees were fined \$500.00 for failing to complete a Board approved CME course on drug diversion training and best practice prescribing of controlled substances training.
Akhtar Sultan Khan, MD Complaint No. 23-80-W		
Kevin Albert Driver, MD Complaint No. 23-22-W	October 20, 2023	This licensee was publicly reprimanded for his unprofessional conduct and placed on probation for a minimum period of one year with certain terms and conditions.
Dibbendu Mahanayak, MD Complaint No. 22-78-W	September 11, 2023	This licensee was fined \$1,000.00 for failing to complete a Board approved CME course on drug diversion training and best practice prescribing of controlled substances training and for repeatedly failing to respond to communications from the Complaint Committee.
Seyoum Daffo Bage, MD Complaint No. 23-34-W	October 31, 2023	This licensee was publicly reprimanded for improperly making hand-written additions to a deceased patient's medical chart after being given notice of potential litigation. He was further assessed a \$5000 fine and required to complete CME on medical recordkeeping.

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. Dr. Lilly seconded the motion, and the motion carried.

PUBLIC

SESSION The Executive Session concluded, and the Complaint Committee returned to Public Session.

**COMPLAINT
COMMITTEE**

ACTIONS Ms. Mayfield moved that the Committee take the following actions:

CLOSURES

22-120-W	John Watson Cochran, MD
23-64-W	Douglas Paul Brooks, MD
23-45-K	Marc Lance Costa, MD
23-78-W	Simha Vivek Jagadeesh, MD
23-69-W	Casandra Arevalo Marcano, MD
22-84-W	Kirk Nielsen O'Donnell, MD
23-104-W	Daniel Shats, MD
23-42-W	Nathan Elliot Doctry, MD
23-60-S	Swapna Gayam, MD
23-63-S	Suzanne Holroyd, MD
23-89-B	Sandra K. May, PA
23-94-M	John Jeffrey McElroy, MD
23-52-S	Kolawale Adedeji Oshiyoye, MD

INITIATED COMPLAINTS

23-112-W
23-113-W
23-114-W
23-115-W

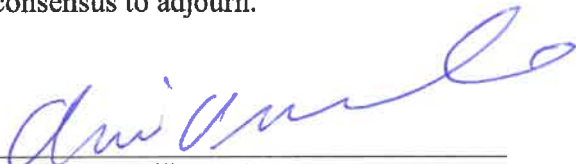
WITHDRAWAL OF PREVIOUSLY INITIATED COMPLAINT

23-100-W

Mr. Tipton seconded the motion, and the motion carried.

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