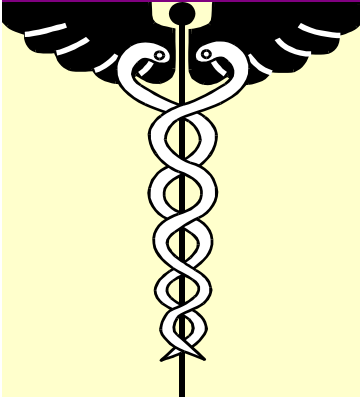


West Virginia Board of Medicine Quarterly Newsletter



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THOUGHTS FROM A PAST BOARD MEMBER BY CARMEN R. REXRODE, M.D.

Early in March, 1996, I came out of church one Sunday morning and told my pastor I was off to my first meeting as a member of the Board of Medicine. He cocked his head to one side, looked at me for a few seconds, and said, "Sounds like a bad-guy job." Ten years later, I know where he was coming from but I think he was wrong.

To the people who complain about doctors, the Board appears to be a bad guy because they do not mete out harsh enough penalties. To the doctors about whom complaints are made, the Board seems to be a bad guy because the physicians just want to be left alone to practice medicine without anyone looking over their shoulders. To consumer advocates such as Sidney Wolfe of Public Citizen, the numbers say the Board is a bad guy for not disciplining a high enough percentage of licensed physicians—no matter how many of them happen to be practicing in the state at the time.

The mission of the Board of Medicine is made quite clear by the statute that authorizes it: The Board is to protect the people of West Virginia. The mission is not to protect our fellow physicians. Most of the time, the interests of the public and the interests of the physicians are the same—after all, doctors are the people on the front lines trying to promote health. It is those cases where the interests of the doctor and the health of the public seem to be in conflict that are the most difficult for the Board to decide.

The statute authorizing the Board also obligates it to investigate every complaint that is made. Many of those complaints have to do with the patient's or the family's perception of the behavior of the doctor. The doctor is seen to be rude, or uncaring, or in too big a hurry. Those cases are pretty straightforward. So too, unfortunately, are the ones in which the doctor shows a pattern of behavior that endangers the health of his or her patients. The ones in between are more difficult: those instances in which there was a bad outcome that may or may not have been preventable; those instances in which all parties have some right and some wrong on their sides; those instances in which the stories of the two sides differ to a degree that cannot be reconciled—so that the real truth is not to be known.

(continued on page 6)

BOARD HIRES NEW PROSECUTING ATTORNEY

John K. McHugh was recently hired as the Board's new prosecuting attorney. Mr. McHugh was previously a member of the Charleston law firm of Allen Guthrie McHugh & Thomas, PLLC, where the concentration of his practice was in litigation. Mr. McHugh has many years of experience as an attorney in both State and Federal Courts, and previously appeared on behalf of physicians before the Board. In addition to his experience as an attorney, Mr. McHugh also has almost 20 years of military service as an officer and helicopter pilot in the Army and West Virginia Army National Guard. He currently serves as training officer for a Brigade and holds the rank of Lieutenant Colonel. We are delighted to welcome John to the Board of Medicine staff.

PHYSICIAN ASSISTANT FORMULARY CHANGES

In May, 2005, Abbott Laboratories announced that Cylert (pemoline) will no longer be available and in October, 2005, manufacturers of generic pemoline agreed to stop sales and marketing of this product. Subsequently, Cylert (pemoline) has been removed from the Physician Assistant Formulary and should be marked out on existing printed prescription forms and not reprinted on future forms.

Strattera (atomoxetine HCl) has been added to the Physician Assistant Formulary under Section B: Miscellaneous Category. If you have been approved for prescriptive privileges and have a need to prescribe Strattera in your practice setting and would like for it to be added to your list of approved medications, you should do the following: send a letter to the West Virginia Board of Medicine requesting approval for Strattera (atomoxetine HCl) to be added, and have the letter signed and dated by both you and your supervising physician(s). The Board will notify you when it is approved for you to prescribe.

As the Board is responsible for approving a formulary classifying pharmacological categories and individual drugs which may be prescribed by an approved Physician Assistant (excluding those prohibited by law), if there are additional medications you have a need to prescribe in your practice setting that you would like the Board to add to the formulary, you may forward the name of that medication to the Board to the attention of the Physician Assistant Committee for its consideration.

Staff of the West Virginia Board of Medicine

304.558.2921

Ext #	Name	Title
227	Robert C. Knittle, M.S.	Executive Director
214	Deborah Lewis Rodecker, J.D.	Counsel
215	John K. McHugh, J.D.	Prosecutor
212	M. Ellen Briggs	Administrative Assistant to the Executive Director
222	Leslie A. Higginbotham	Paralegal/Investigator
210	Charlotte A. Jewell	Physician Assistant Coordinator
216	Michael R. Lilly	Information Systems Coordinator
221	Crystal Lowe	Licensure Analyst
211	Janie Pote	Administrative Assistant to Legal Department
224	Pennie Price	Receptionist/Certification and Verification Coordinator
220	Deb Scott	Fiscal Officer
213	Sheree Smith	Complaints Coordinator

ELECTION OF BOARD OFFICERS

John A. Wade, Jr., M.D., appointed to the West Virginia Board of Medicine in 2001, currently presides as President of the Board of Medicine. Over the years, Dr. Wade has been and continues to be very active throughout West Virginia, holding numerous positions at the Pleasant Valley Hospital in Point Pleasant, as well as Jackson General Hospital in Ripley. He also serves as a member of the West Virginia Advisory Board for the medical malpractice insurer, Woodbrook Casualty, and is a member of the West Virginia State Medical Association.

Dr. Wade is a member of the American Medical Association, a member of the American Board of Otolaryngology, and is a Fellow of the American Academy of Otolaryngology Allergy. For the past eleven years, he has been an Oral Examiner for the American Academy of Otolaryngology Allergy Fellowship.

Dr. Wade obtained his medical degree at West Virginia University. He completed two years of residency in General Surgery at the Charleston Area Medical Center followed by a three year Residency in Otolaryngology, Head and Neck Surgery in Morgantown at West Virginia University where he is currently an Associate Clinical Professor.

Dr. Wade lives and maintains a successful practice in the Point Pleasant area where he lives with his wife Sarah, who is the Treasurer for the West Virginia State Medical Association Alliance. His daughter Emily is a Doctor of Pharmacy, and his son Alex is a Doctor of Medicine.

Lee Elliott Smith, M.D., was first appointed to the West Virginia Board of Medicine in 1995 and currently serves as the Board's Vice-President and Chair of the Licensure Committee. He is the author of numerous articles and has lectured throughout the United States, Canada, Norway, and Italy.

In 2005-06, Dr. Smith held the Chair of the Federation of State Medical Boards and is currently the immediate past-Chair. He is only the 3rd physician from West Virginia to Chair the Federation since its inception in 1912. He remains active at the national level as a member of the Federation's four-person Post-Licensure Assessment System Governing Committee and as the Federation Representative to the American Board of Medical Specialties (ABMS).

Licensed to practice medicine in West Virginia, Virginia, and California, Dr. Smith is a Fellow of the American College of Surgeons and several otolaryngology academies, and is Board Certified by the American Board of Otolaryngology and the American Board of Facial and Reconstructive Surgery.

Dr. Smith received his medical degree from Boston University and completed his residency in Otolaryngology-Head and Neck Surgery, as well as a Fellowship in Facial Plastic and Reconstructive Surgery at the Stanford University Medical Center.

Previously a Clinical Assistant Professor, Department of Otolaryngology-Head and Neck Surgery, at the West Virginia University School of Medicine in Morgantown, Dr. Smith currently lives in the Bluefield area and continues a successful practice in Princeton.

West Virginia Board of Medicine Board Members

John A. Wade, Jr., M.D., President
Point Pleasant

Lee Elliott Smith, M.D., Vice President
Princeton

Catherine Slep, M.D., M.P.H., Secretary
Charleston

Rev. Richard Bowyer
Fairmont

Michael L. Ferrebee, M.D.
Morgantown

Angelo N. Georges, M.D.
Wheeling

Ms. Doris M. Griffin
Martinsburg

M. Khalid Hasan, M.D.
Beckley

Ms. Beth Hays
Bluefield

J. David Lynch, Jr., M.D.
Morgantown

Vettivelu Maheswaran, M.D.
Charles Town

Bill May, D.P.M.
Huntington

Leonard Simmons, D.P.M.
Fairmont

Badshah J. Wazir, M.D.
South Charleston

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



BOARD ACTIONS

July 2006 — September 2006



CHANDRASEKHAR, SUBRAMANIYAM, M.D. – New Martinsville, WV (07/18/2006) WV License No. 20461

Board Conclusion: The inability to practice medicine and surgery with reasonable skill and safety due to . . .abuse of alcohol.

Board Action: By AMENDED CONSENT ORDER entered July 18, 2006, Dr. Chandrasekhar's CONSENT ORDER entered December 1, 2005, was amended to include the following: Dr. Chandrasekhar's practice of medicine and surgery shall be limited to fifty (50) hours each week, which fifty (50) hours includes "on call" time; and Dr. Chandrasekhar shall appear before the regularly scheduled Licensure Committee meeting in January, 2007.

CLAY, DENISE ELAINE, M.D. – Pembroke Pines, FL (09/22/2006) WV License No. 13976

Board Conclusion: Relating to having a license acted against in another state and failing to practice medicine at an acceptable level.

Board Action: PUBLICLY REPRIMANDED for her inadequate care and treatment of a patient resulting in having her license acted against in another state. In addition to the fifty (50) hours of continuing medical education (CME) required for license renewal in West Virginia, Dr. Clay shall complete five (5) hours of CME in risk management on or before February 15, 2007, which completion of five (5) hours of CME shall be documented to the Board as completed by the Florida Board of Medicine promptly following her completion of the same.

CUPIT, DENNIS MARSHALL, M.D. – Hurricane, WV (07/14/2006) WV License No. 17903

Board Conclusion: Relating to unprofessional, unethical, and dishonorable conduct of a character likely to harm the public.

Board Action: License SUSPENDED until such time as the Board is satisfied that Dr. Cupit is competent to resume the practice of medicine in the State of West Virginia. Dr. Cupit shall pay the costs and expenses of the hearing within thirty (30) days after receipt of an invoice from the Board for the same. If, after five (5) years from the start of license suspension, the Board is not satisfied that Dr. Cupit is competent to resume the practice of medicine in the State of West Virginia and his license remains suspended, Dr. Cupit's medical license shall automatically stand revoked, effective July 20, 2011.

FERRERO, DAVID, D.P.M. – Fairmont, WV (08/07/2006) WV License No. 00248

Board Conclusion: Making a false statement in connection with a licensure application.

Board Action: License SUSPENDED and STAYED, pending Dr. Ferrero's compliance with all terms and conditions of the Consent Order; PUBLICLY REPRIMANDED for his false statement to the Board with respect to his end-of-life care, including pain management, coursework; and FINED \$200.

GRUSPE, ARNOLD FELIPE, M.D. – Weston, WV (08/07/2006) WV License No. 09670

Board Conclusion: Relating to failure to practice medicine at an acceptable level of care, skill, and safety.

Board Action: While Dr. Gruspe has voluntarily ceased performing major surgery as of July 1, 2006, including any surgery requiring general anesthesia, effective August 1, 2006, Dr. Gruspe agrees not to perform major surgery, including any surgery requiring general anesthesia, without further consent of the Board. Within six (6) months of the effective date of the Consent Order, Dr. Gruspe shall successfully complete twenty (20) hours of continuing medical education in post-operation management and electrolyte imbalance.

HUTSON, RONALD G., P.A.-C. – Falling Waters, WV (07/26/2006) WV License No. 00282

Board Conclusion: Misrepresentation or concealment of any material fact in obtaining any certificate or license or a reinstatement of any certificate or license.

Board Action: Granted License No. 00282, effective July 31, 2006, and PUBLICLY REPRIMANDED for providing false answers on his licensure application to the Board.

KNOX, ROBERT ALAN, D.P.M. – Princeton, WV (07/11/2006) WV License No. 00231

Board Conclusion: Relating to being found guilty by a court of competent jurisdiction of any felony involving prescribing, selling, administering, dispensing, mixing or otherwise preparing any prescription drug, including any controlled substance under state or federal law, for other than generally accepted therapeutic purposes.

Board Action: License REVOKED effective July 20, 2006.



BOARD ACTIONS

July 2006 — September 2006



LITTLE, PAUL MICHAEL, JR., M.D. – Northfork, WV (08/07/2006)

WV License No. 18440

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

Board Action: By AMENDED CONSENT ORDER entered August 7, 2006, Dr. Little's CONSENT ORDER entered August 9, 2004, was amended to reduce the regular meetings with his supervising physician to at least every two (2) weeks.

MERIWETHER, WILHELM D., M.D. – Potomac, MD (09/11/2006)

WV License No. 16460

Board Conclusion: Relating to making a false statement in connection with a licensure application.

Board Action: License SUSPENDED and STAYED, pending Dr. Meriwether's compliance with all terms and conditions of the Consent Order; PUBLICLY REPRIMANDED for his false statement to the Board with respect to his continuing medical education; and FINED \$3,600.

PHARES, ROBERT W., M.D. – Hedgesville, WV (07/10/2006)

WV License No. 21259

Board Conclusion: Relating to making a false statement in connection with a licensure application.

Board Action: License SUSPENDED and STAYED, pending Dr. Phares' compliance with all terms and conditions of the Consent Order; PUBLICLY REPRIMANDED for his false statement to the Board with respect to his continuing medical education; and FINED \$200.

PRASAD, SUNIL NARSING, M.D. – Williamsville, NY (08/09/2006)

WV License No. 20558

Board Conclusion: Relating to unprofessional conduct and having a license acted against in another jurisdiction.

Board Action: PUBLICLY REPRIMANDED for altering a medical record, thereby engaging in unprofessional conduct, resulting in his being disciplined in the State of Massachusetts.

SHAPIRO, RAYMOND MARC, M.D. – Gaithersburg, MD (09/18/2006)

WV License No. 18045

Board Conclusion: Practicing medicine beyond the scope of an addictions psychiatrist, to the extent that his evaluations of certain persons involved in family court matters extended his practice into the realm of forensic psychiatry, a field for which he has demonstrated a need for further training and education.

Board Action: Ordered to gain further training in Forensic Psychiatry; agrees that he will not accept a referral from the family court system of this or any other state, but to the extent that he is requested to perform forensic evaluations in any other legal context, he agrees that the next twelve forensic evaluations prepared by him following entry of the Consent Order are to be supervised by a Board-approved forensic psychiatrist; shall engage in continuing peer supervision regarding the phenomenon of counter-transference; for the next two years following entry of the Order, Dr. Shapiro agrees to take prescribed medication of a treating physician with the name and indication of the medication disclosed voluntarily in writing to the Board on an annual basis.

SPORCK, FREDERICK THOMAS, M.D. – Charleston, WV (08/09/2006)

WV License No. 09647

Board Conclusion: Relating to failure to practice acceptably.

Board Action: PUBLICLY REPRIMANDED for prescribing Amoxicillin to a patient for whom he had identified a penicillin allergy.

STACEY, MICHAEL JOHN, M.D. – Martinsburg, WV (07/03/2006)

WV License No. 17678

Board Conclusion: Relating to making a false statement in connection with a licensure application.

Board Action: License SUSPENDED and STAYED, pending Dr. Stacey's compliance with all terms and conditions of the Consent Order; PUBLICLY REPRIMANDED for his false statement to the Board with respect to his continuing medical education; and FINED \$200.

VELTMAN, JOHN COLLETT, M.D. – Martinsburg, WV (08/18/06)

WV License No. 18089

Board Conclusion: Relating to making a false statement in connection with a licensure application.

Board Action: License SUSPENDED and STAYED, pending Dr. Veltman's compliance with all terms and conditions of the Consent Order; PUBLICLY REPRIMANDED for his false statement to the Board with respect to his continuing medical education; and FINED \$200.

THOUGHTS FROM A PAST BOARD MEMBER BY CARMEN R. REXRODE, M.D.

(continued from page 1)

Cases involving a physician's addiction to alcohol, drugs, or pornography present special difficulties. In these situations, the Board has to balance the health of the public and the health of the physician. The physician may feel ready to resume practice but the Board can see how fragile the recovery is. Many physicians are surprised to find that their Board is knowledgeable about recovery and can be a dogged advocate on their behalf as they get back on their feet. Pornography and sex addiction present more complex difficulties, because by definition someone is exploited by this behavior, and the Board has to go to special lengths to be sure it is not the patient.

In two terms on the Board of Medicine, I learned a lot. I learned about addiction and recovery issues. I learned about many specialty areas of medical practice because I had to have the background knowledge to decide a case. Most of all, I saw a lot of hard work go on in the Board's efforts to protect the people of West Virginia. Board members do a lot of homework for each meeting. At the meetings, a lot of discussion takes place about each case. Disagreements are handled respectfully. No decision is made without an effort to thoroughly understand the issues involved. I was privileged to get to know physicians, physician assistants, podiatrists, and lay people from around the State who were willing to put their time and energy into public service, knowing the importance of the health of the people of West Virginia. And I was privileged to work with the staff at the Board office. Former Executive Director Ron Walton had a knack for putting together a staff able to work together and focus on the overall mission. That is continuing under new Executive Director Bob Knittle.

Term limits for Board members are a good thing: after almost 10 years I was beginning to feel some burnout. But if the opportunity were to arise, I would serve on the Board again, because I believe that—while the Board will never please everyone—it is doing its best to make sure West Virginians get the best possible health care.

BOARD FILES COLLABORATIVE PHARMACY PRACTICE PROPOSED RULE

In 2005, the Legislature enacted a collaborative pharmacy practice law, which required the Boards of Medicine, Osteopathy, and Pharmacy to jointly promulgate a rule further implementing collaborative pharmacy practice. The rule was filed on September 27, 2006, with the Secretary of State to begin the process of approval by the Legislature. The proposed rule is available on the Board's website at www.wvdhhr.org/wvbom or from the Secretary of State or from the Boards of Medicine, Osteopathy, or Pharmacy, and any written comments are requested by November 3, 2006, to be made to the West Virginia Board of Medicine.

The rule contains general rules for collaborative pharmacy practice authority and approval of collaborative pharmacy practice protocols. The rule contains provisions for a \$50 fee to be paid to the Board of Pharmacy for such authority, as well as a \$100 processing fee payable to the appropriate board: the Board of Medicine or the Board of Osteopathy. Ethics requirements and reporting and discipline requirements are included in the rule as is a provision for the joint selection of up to five (5) pilot project sites.

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)

HOME ADDRESS:
[] Check here if same as preferred mailing address

Address 1 _____
Address 2 _____
City, State, Zip, County _____
Phone _____
Email _____

MAIN WORK ADDRESS:
[] Check here if same as preferred mailing address

Enter average weekly on call hours for ALL loca-
tions: _____

Address 1 _____
Address 2 _____
City, State, Zip, County _____
Phone _____ Fax _____
Email _____

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 _____

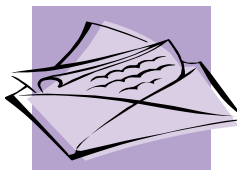
List AVERAGE HOURS worked per week (not on
call) at this location:
Direct Patient Care: _____
Administration: _____
Formal Teaching: _____
Research: _____
Other Medical/Podiatric Activities: _____

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 an updated Change of Address Form located on Page 7 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 2006 MEETINGS

November 13

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

WV Board of Medicine



101 Dee Drive, Suite 103
Charleston, WV 25311

Phone: 304.558.2921
Fax: 304.558.2084

www.wvdhhr.org/wvbom
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