

BEFORE THE WEST VIRGINIA BOARD OF MEDICINE

IN RE: MICHAEL THOMAS HANDRIGAN, M.D.

CONSENT ORDER

The West Virginia Board of Medicine ("Board") and Michael Thomas Handrigan, M.D. ("Dr. Handrigan"), freely and voluntarily enter into the following Consent Order pursuant to the provisions of W. Va. Code § 30-3-1, et seq.:

FINDINGS OF FACT

1. MICHAEL THOMAS HANDRIGAN, M.D., holds a license to practice medicine and surgery in the State of West Virginia, License No. 21852, and his address of record with the Board is in Laurel, Maryland.
2. In January 2007, Dr. Handrigan was the subject of a random audit by the Board to determine whether he had completed the required minimum number of fifty (50) hours of continuing medical education ("CME") coursework, as described in 11 CSR 6 2.2, including two (2) hours in the subject of end-of-life care and pain management, as described in W. Va. Code § 30-1-7a, during the licensure period from July 1, 2004, to June 30, 2006.
3. In Dr. Handrigan's licensure renewal application for the period from July 1, 2006, to June 30, 2008, submitted to the Board and dated May 31, 2006, Dr. Handrigan represented that he had completed the required minimum number of fifty (50) hours of CME coursework, including two (2) hours of CME in the subject of end-of-life care and pain management, during the preceding licensure period from July 1, 2004, to June 30, 2006.

4. The random audit revealed that Dr. Handrigan had completed at least fifty (50) hours of approved CME coursework during the preceding licensure period from July 1, 2004, to June 30, 2006, but had failed to complete two (2) hours of CME coursework in the subject of end-of-life care, including pain management.

5. In May 2007, the Complaint Committee of the Board initiated a complaint against Dr. Handrigan based upon his apparent deficiency of two (2) hours of CME in the subject of end-of-life care, including pain management, and his inaccurate certification that he had completed the same during the preceding licensure period from July 1, 2004, to June 30, 2006.

6. On June 28, 2007, Dr. Handrigan responded to the Complaint by essentially stating that he was not aware of the requirement for two (2) hours of CME coursework in the subject of end-of-life care, including pain management, until he was asked to verify his completion of CME in connection with the Board's random audit. He further advised that he had completed the required two (2) hours of CME in the subject of end-of-life care, including pain management, on February 9, 2007, as soon as he learned about the requirement.

CONCLUSIONS OF LAW

1. The Board has a mandate pursuant to W. Va. Code § 30-3-1 to protect the public interest.

2. Probable cause may exist to substantiate charges pursuant to the provisions of W. Va. Code § 30-3-14(c)(17) and 11 CSR 1A 12.1 (e) and (j), relating to unprofessional conduct, and W. Va. Code § 30-3-14(c)(1) and (17), 11 CSR 1A 12.1(a), and 11 CSR 6 4.2 and 4.4, relating to the renewal of a license to practice medicine and surgery by making a false statement in connection with a licensure application.

3. It is appropriate to waive the commencement of proceedings against Dr. Handrigan and to proceed without the filing of formal charges in a Complaint and Notice of Hearing, provided Dr. Handrigan complies with the terms and conditions set forth herein.

CONSENT

MICHAEL THOMAS HANDRIGAN, M.D., by affixing his signature hereon, agrees solely and exclusively for purposes of this agreement and the entry of the Order provided for and stated herein, and proceedings conducted in accordance with this Order, to the following:

1. Dr. Handrigan acknowledges that he is fully aware that, without his consent, no permanent legal action may be taken against him except after a hearing held in accordance with W. Va. Code § 30-3-14(h) and W. Va. Code § 29A-5-1, et seq.;

2. Dr. Handrigan further acknowledges that he has the following rights, among others: the right to a formal hearing before the West Virginia Board of Medicine, the right to reasonable notice of said hearing, the right to be represented by counsel at his own expense, and the right to cross-examine witnesses against him;

3. Dr. Handrigan waives all rights to such a hearing;

4. Dr. Handrigan consents to the entry of this Order relative to his practice of medicine and surgery in the State of West Virginia; and,

5. Dr. Handrigan understands that this Order is considered public information, and that matters contained herein may be reported, as required by law, to the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.

ORDER

WHEREFORE, on the basis of the foregoing Findings of Fact and Conclusions of Law of the Board, and on the basis of the consent of Dr. Handrigan, the West Virginia Board of Medicine hereby **ORDERS** as follows:

1. The two (2) hours of CME in the subject of end-of-life care, including pain management, which Dr. Handrigan completed on February 9, 2007, shall be applied to meet the fifty (50) hours required for the renewal period July 1, 2004, to June 30, 2006, and shall not be applied or transferred to any subsequent renewal period. However, by completing this CME, Dr. Handrigan has now met the one-time requirement for completion of this particular coursework.

2. Dr. Handrigan shall also pay a **CIVIL FINE** in the amount of \$100.00 per credit hour for his prior deficiency of two (2) hours of CME in the subject of end-of-life care, including pain management, for the licensure renewal period from July 1, 2004, to June 30, 2006, or a total of **\$200.00 Dollars**, which fine shall be received by the Board on or before August 31, 2007.

3. In the event that Dr. Handrigan fails to comply with the requirement stated in the preceding paragraph of this Order, his license to practice medicine in the State of West Virginia shall be **SUSPENDED**, effective immediately, without further process or hearing, pending his successful completion of this requirement, as agreed to by him, and required by this Order.

4. Upon the Board's determination that Dr. Handrigan is in full compliance with the terms and conditions of this Consent Order, the Complaint against him shall be dismissed immediately.

The foregoing "Consent Order" of MICHAEL THOMAS HANDRIGAN, M.D.,

was:

Entered this 10th day of September, 2007.

WEST VIRGINIA BOARD OF MEDICINE



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



Catherine Slemp, M.D., M.P.H.
Secretary



MICHAEL THOMAS HANDRIGAN, M.D.

Date: 2 Aug 07

STATE OF ~~WEST VIRGINIA~~ Maryland

COUNTY OF Montgomery

I, Seong Hoon Lee, a Notary Public in and for said county and state do hereby certify that MICHAEL THOMAS HANDRIGAN, M.D., whose name is signed on the previous page has this day acknowledged the same before me.

Given under my hand this 2nd day of August, 2007.

My commission expires October 08, 2008.



Notary Public

SEONG HOON LEE
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires October 8, 2008



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West Virginia Board of Medicine

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September 14, 2007

Michael Thomas Handrigan, M.D.
14206 Crumlin Court
Laurel, Maryland 20707

Dear Dr. Handrigan:

We are in receipt of your documentation of the two (2) remaining hours of continuing medical education, as referenced in the September, 2007, Consent Order that you entered into with the Board. Consequently, you are in compliance with the terms and conditions of this Consent Order.

Please note that the continuing medical education submitted shall not be applicable or transferable to any subsequent renewal period.

In accordance with the statute, the Consent Order will remain a permanent part of your historical record maintained by the Board. A copy of this letter will be attached to the Consent Order and will remain a part of the Consent Order.

Thank you for your cooperation and patience throughout this process and continued best wishes for success.

Sincerely,

Robert C. Knittle

RCK/eb

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