

**BEFORE THE WEST VIRGINIA BOARD OF MEDICINE**

**IN RE:**

**CHARLES C. EGBERT, M.D.**

**CONSENT ORDER**

The West Virginia Board of Medicine ("Board") and Charles C. Egbert, M.D. ("Dr. Egbert") freely and voluntarily enter into the following Order pursuant to West Virginia Code §30-3-1, et seq.:

**FINDINGS OF FACT**

1. In January, 2006, Dr. Egbert applied for a license to practice medicine and surgery in the State of West Virginia, and Dr. Egbert appeared before the Licensure Committee of the Board in March, 2006, with documentation of his participation in the Vermont Practitioner Health Program ("VPHP"), Montpelier, Vermont, and for a full discussion of his health and well being.
2. Dr. Egbert has successfully been monitored in the VPHP for over four (4) years with full compliance, according to documents received from the VPHP.
3. It was the decision of the Board that there was no reason to deny Dr. Egbert a license to practice medicine and surgery in the State of West Virginia as he meets the requirements for licensure under the West Virginia Medical Practice Act.

However, permitting him a license to practice medicine and surgery in the State of West Virginia without certain restrictions, limitations and accommodations placed upon his medical license could adversely affect the health and welfare of patients.

### **CONCLUSIONS OF LAW**

1. As a matter of public policy, the provisions of the West Virginia Medical Practice Act have been enacted to protect the public interest, West Virginia Code §30-3-1.

2. Probable cause exists to deny Dr. Egbert's application for licensure to practice medicine and surgery in West Virginia, due to the provisions of West Virginia Code §30-3-14(c)(21).

3. The Board has determined that it is appropriate and in the public interest to grant Dr. Egbert a license to practice medicine and surgery in the State of West Virginia and that there is no reason to deny him such licensure, provided certain restrictions, limitations and accommodations are placed upon his license to practice medicine and surgery in the State of West Virginia.

### **CONSENT**

Charles C. Egbert, M.D., by affixing his signature hereon, agrees solely and exclusively for the purpose of the entry of this Order to the following:

1. Dr. Egbert acknowledges that without his consent, here given, no permanent legal action may be taken against him except after a hearing held in accordance with West Virginia Code §30-3-14(h) and §29A-5-1, *et seq.*;

2. Dr. Egbert 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. Egbert waives all rights to such a hearing;

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

5. Dr. Egbert 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. Egbert, the West Virginia Board of Medicine hereby **ORDERS** as follows:

1. Dr. Egbert, having met the requirements for medical licensure in the State of West Virginia, is licensed to practice medicine and surgery in the State of West Virginia effective April 1, 2006.

2. Said License is issued subject to the following limitations, restrictions and accommodations for a period of one (1) year, effective upon entry of this Consent Order.

A. Dr. Egbert shall obey all federal, state and local laws, and all rules governing the practice of medicine in West Virginia.

B. Dr. Egbert shall abstain completely from the use of alcohol and shall refrain from the use of any controlled substances except for those specifically prescribed to him by another duly licensed physician.

C. The Board retains the right to require, and Dr. Egbert agrees to submit, blood or urine specimens for analysis at Dr. Egbert's expense upon the Board's request and without prior notice. Notwithstanding the provisions of West Virginia Code §30-1-8(c), Dr. Egbert's refusal to submit to a blood or urine specimen upon request of the Board may result in a minimum of six (6) months of actual license suspension, without hearing.

D. Dr. Egbert shall attend meetings of Alcoholics Anonymous, Narcotics Anonymous, or Caduceus on a regular basis and shall attend a minimum of two (2) times each week, and Dr. Egbert shall keep a log of his attendance at such meetings for the one (1) year that this Consent Order is in effect, which log may be reviewed at the pleasure of the Board at any time.

E. Dr. Egbert shall seek and maintain a sponsor in Alcoholics Anonymous, Narcotics Anonymous, or Caduceus who will be permitted to review his log and who will meet with Dr. Egbert regularly and at least once every thirty (30) days and said Alcoholics Anonymous, Narcotics Anonymous, or Caduceus sponsor shall file written reports with the Board every sixty (60) days, beginning June 1, 2006, confirming Dr. Egbert's required attendance with the Alcoholics Anonymous, Narcotics Anonymous, or Caduceus sponsor.

F. Dr. Egbert may not engage in "moonlighting".

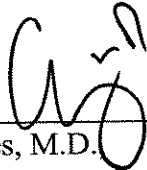
G. On or about February 1, 2007, Dr. Egbert shall submit a declaration stating whether there has been compliance with all the limitations, restrictions and accommodations of this Consent Order.

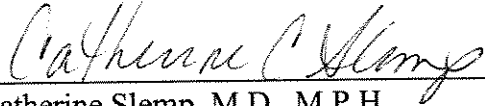
H. Dr. Egbert shall appear in person before the Licensure Committee at its regular meeting in March, 2007, for a full discussion of his health and well-being, or as otherwise directed by the Board.


I. A copy of this Consent Order shall be presented by Dr. Egbert within five (5) days of entry of the Consent Order to any and all institutions where Dr. Egbert is practicing medicine or desires to practice medicine.

J. At the option of either Dr. Egbert or the Board, this Consent Order or a modified version thereof may be again entered into by the parties at the end of the one (1) year period of limitations, restrictions and accommodations.

The foregoing was entered this 31<sup>st</sup> day of March, 2006.

  
\_\_\_\_\_  
Angelo N. Georges, M.D.  
President

  
\_\_\_\_\_  
Catherine Slomp, M.D., M.P.H.,  
Secretary

  
\_\_\_\_\_  
Charles C. Egbert, M.D.

Date: 3/22/06

STATE OF Vermont

COUNTY OF Rutland, to wit:

I, Heather Montrou, a Notary Public for said county and state do hereby certify that Charles C. Egbert, M.D., whose name is signed on the previous page, has this day acknowledged the same before me.

Given under my hand this 22<sup>nd</sup> day of March, 2006.

My commission expires 02/10/2007.

Heather Montrou  
Notary Public