

BEFORE THE WEST VIRGINIA BOARD OF MEDICINE

IN RE:

KARL JOHNSON MYERS, JR., M.D.,

CONSENT ORDER

The West Virginia Board of Medicine ("Board") and Karl Johnson Myers, Jr., M.D., ("Dr. Myers") freely and voluntarily enter into the following Order pursuant to West Virginia Code §30-3-14(n):

FINDINGS OF FACT

1. Dr. Myers held a license to practice medicine and surgery in the State of West Virginia, License No. 7419, until his surrender of such license on May 25, 1995.

2. Dr. Myers' address of record with the Board is in Philippi, West Virginia.

3. In June 1995, Dr. Myers sat for the SPEX (Special Purpose Examination) in the Board offices, and Dr. Myers obtained a passing grade on the June 1995 SPEX.

4. Dr. Myers met with the Complaint Committee of the Board at its regularly scheduled meeting in September 1995, to discuss with the Complaint Committee whether any further measures might be recommended and/or required with respect to restoration of his license to practice medicine and surgery in the State of West Virginia in whole or in part.

5. It is appropriate and lawful and in the public interest to restore Dr. Myers' license to practice medicine and

surgery in the State of West Virginia, License No. 7419, provided that certain conditions and limitations are placed upon such license.

CONCLUSIONS OF LAW

1. The West Virginia Medical Practice Act declares that the practice of medicine is a privilege and that as a matter of public policy, the provisions in the act are necessary to protect the public interest (West Virginia Code §30-3-1).

2. Probable cause exists to deny reinstatement of a license to Dr. Myers pursuant to the provisions of West Virginia Code §30-3-14(c)(17), and 11 CSR 1A 12.1(e) and as further described at 11 CSR 1A 12.2, relating to the prescribing of scheduled controlled substances.

3. The Board has determined that it is appropriate to reinstate the license to practice medicine and surgery of Dr. Myers as a result of his obtaining a passing grade on the June 1995 SPEX examination, subject to the conditions and limitations set forth in this Consent Order.

CONSENT

Karl Johnson Myers, Jr., 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. Myers 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 West Virginia Code §30-3-14(h) and §29A-5-1, et seq.;

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

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

5. Dr. Myers 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.

ORDER

WHEREFORE, on the basis of the foregoing Findings of Fact and Conclusions of Law and on the basis of the consent of Dr. Myers, the West Virginia Board of Medicine hereby ORDERS that the license to practice medicine and surgery in the State of West Virginia of Dr. Myers, License No. 7419, is REINSTATED, effective, October 1, 1995, at 12:01 a.m., subject to Dr. Myers' successful completion of a Board approved course relating to the prescribing of controlled substances and Dr. Myers shall submit evidence of

such successful completion to the Board no later than November 1, 1995. Dr. Myers shall prepare written guidelines on the prescribing of controlled substances and submit such guidelines to the Board's Complaint Committee no later than November 1, 1995.


After October 1, 1996, the Board or any employee of the Board may inspect any records of any patient to whom Dr. Myers prescribes a scheduled controlled substance on or after October 1, 1995.

Within five (5) days of entry of this Order, Dr. Myers shall provide a copy of this Order to any employer or health care or medical facility where Dr. Myers is practicing medicine, and during the period that this Order is in effect, Dr. Myers shall provide a copy of this Order to any prospective employer or health care or medical facility where he seeks to practice medicine.

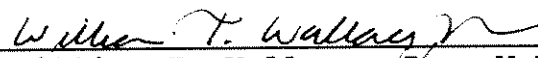
The failure of Dr. Myers to comply with the terms of this Consent Order, as determined by the Board, may constitute grounds for the revocation of his license to practice medicine and surgery in the State of West Virginia.

Entered this 30th day of September, 1995.

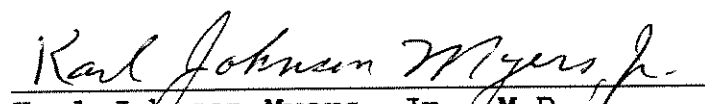
WEST VIRGINIA BOARD OF MEDICINE



Jesus T. Ho, M. D.
President



William T. Wallace, Jr., M.D., M.P.H.
Secretary



Karl Johnson Myers, Jr. M.D.
Date: Sept. 24, 1995

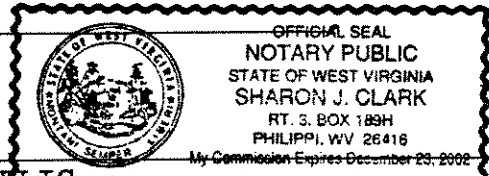
STATE OF West Virginia

COUNTY OF Barbour, to-wit:

I, Sharon J. Clark, a Notary Public for
said county and state do hereby certify that Karl Johnson Myers,
Jr., M.D., whose name is signed on the previous page has this day
acknowledged the same before me.

Given under my hand this 25th day of September, 1995.

My Commission expires _____



NOTARY PUBLIC

Sharon J. Clark



J. Curtis Arnold, D.P.M.
South Charleston

Race L. Berry, M.D.
Charleston

Imed D. Faheem, M.D.
Eckley

Ir. Stephen P. Goodwin
Charleston

Michael Grome, P.A.-C.
Martinsburg

Ir. George G. Guthrie
Charleston

Mrs. Mary Boyd Kearse
Martinsburg

Phillip B. Mathias, M.D.
Glen Dale

Stephen Perkins, M.D.
Charleston

Carmen R. Rexrode, M.D.
Moorefield

Leonard Simmons, D.P.M.
Fairmont

Lee Elliott Smith, M.D.
Princeton

State of West Virginia

WEST VIRGINIA BOARD OF MEDICINE

101 Dee Drive
Charleston, West Virginia 25311
Telephone (304) 558-2921
Fax (304) 558-2084

February 3, 1997

Karl J. Myers, Jr., M.D.
112 Woods Street
Philippi, West Virginia 26416

Dear Dr. Myers:

Via this correspondence, you are advised that, as of February 3, 1997, you have satisfactorily complied with the terms of the Consent Order dated September 30, 1995.

However, in accordance with the statute, the Consent Order remains 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.

Best wishes.

Sincerely,

Ronald D. Walton

eb

RESIDENT

Paul Brooks, Jr., M.D.
Martinsburg

VICE PRESIDENT

Sarjit Singh, M.D.
Weirton

SECRETARY

Henry G. Taylor, M.D., M.P.H.
Charleston

COUNSEL

Deborah Lewis Rodecker
Charleston

EXECUTIVE DIRECTOR

Ronald D. Walton
Charleston