

**NORTH CAROLINA MEDICAL BOARD**  
**Board Orders/Consent Orders/Other Board Actions**  
**January-February 2008**

**DEFINITIONS**

**Annulment:**

Retrospective and prospective cancellation of the practitioner's authorization to practice.

**Conditions:**

A term used to indicate restrictions, requirements, or limitations placed on the practitioner.

**Consent Order:**

An order of the Board stating an agreement between the Board and the practitioner regarding the annulment, revocation, suspension, or surrender of authorization to practice, or the conditions placed on authorization to practice, or other action taken by the Board relative to the practitioner. (A method for resolving a dispute without a formal hearing.)

**Denial:**

Decision denying an application for practice authorization or reconsideration of a Board action.

**Dismissal:**

Board action dismissing a contested case.

**Inactive Medical License:**

To be "active," a medical license must be registered on or near the physician's birthday each year. By not registering his or her license, the physician allows the license to become "inactive." The holder of an inactive license may *not* practice medicine in North Carolina. Licensees will often elect this status when they retire or do not intend to practice in the state. (Not related to the "voluntary surrender" noted below.)

**NA:**

Information not available or not applicable.

**NCPHP:**

North Carolina Physicians Health Program.

**Public Letter of Concern:**

A letter in the public record expressing the Board's concern about a practitioner's behavior or performance. Concern has not risen to the point of requiring a formal proceeding but should be known by the public. If the practitioner requests a formal disciplinary hearing regarding the conduct leading to the letter of concern, the letter will be vacated and a formal complaint and hearing initiated.

**Reentry Agreement**

Arrangement between the Board and a practitioner in good standing who is "inactive" and has been out of clinical practice for two years or more. Permits the practitioner to resume active practice through a reentry program approved by the Board to assure the practitioner's competence.

**RTL:**

Resident Training License. (Issued to those in post-graduate medical training who have not yet qualified for a full medical license.)

**Revocation:**

Cancellation of authorization to practice. Authorization may not be reissued for at least two years.

**Stay:**

Full or partial stopping or halting of a legal action, such as suspension, on certain stipulated grounds.

**Summary Suspension:**

Immediate withdrawal of authorization to practice prior to the initiation of further proceedings, which are to begin within a reasonable time. (Ordered when the Board finds the public health, safety, or welfare requires emergency action.)

**Suspension:**

Withdrawal of authorization to practice for a stipulated period of time or indefinitely.

**Temporary/Dated License:**

License to practice for a specific period of time. Often accompanied by conditions contained in a Consent Order. May be issued as an element of a Board or Consent Order or subsequent to the expiration of a previously issued temporary license.

**Voluntary Surrender:**

The practitioner's relinquishing of authorization to practice pending or during an investigation. Surrender does not preclude the Board bringing charges against the practitioner. (Not related to the "inactive" medical license noted above.)

**ANNULMENTS**

NONE

**REVOCATIONS**

**RIOS, Gustavo Ernesto, MD**

Location: Jacksonville, NC (Onslow Co) | DOB: 9/13/1967  
License #: 2006-01305 | Specialty: PD (as reported by physician)  
Medical Ed: Faculty of Medicine, Autonomous Univ of Guadalajara (1998)  
Cause: Dr Rios was convicted of a felony in the General Court of Justice, Superior Court Division for Onslow County, on 6/26/2007. He requested no Board hearing on this matter within the time period allowed by law.  
Action: 12/20/2007. Entry of Revocation issued declaring the revocation of Dr Rios' North Carolina medical license by operation of law as of 10/04/2007.

See Consent Orders:

**COLLINS, Paul Dwayne, MD**

**SUSPENSIONS**

**BRAY, Anthony David, MD**

Location: Burlington, NC (Alamance Co) | DOB: 11/15/1961  
License #: 0094-00023 | Specialty: FP (as reported by physician)  
Medical Ed: University of North Carolina School of Medicine (1992)  
Cause: Dr Bray failed to comply with the terms of a January 2006 agreement with the DEA requiring him to report to DEA on a monthly basis on the controlled substances he prescribed. Dr Bray said he had not complied due to staff shortages. In an April 2006 Consent Order with the Board, Dr Bray agreed to abide by the DEA agreement.  
Action: 1/18/2008. Findings of Fact, Conclusions of Law, and Order of Discipline issued following hearing on 12/14/2007: Dr Bray's North Carolina medical license is suspended for 30 days beginning 2/15/2008; his license is limited in that he shall not prescribe controlled substances until specifically permitted to do so by the Board.

**MBADIWE, Chukwuemeka Felix, MD**

Location: Wilmington, DE | DOB: 6/11/1944  
License #: 2003-00379 | Specialty: GS/VS (as reported by physician)  
Medical Ed: College of Medicine University of Ibadan (1974)  
Cause: In January 2004, Dr Mbadiwe requested help performing gastrointestinal endoscopic procedures. He attempted 75 to 100 colonoscopies, but was unable to complete a colonoscopy without intervention. Between January and July 2004, he attempted one colonoscopy without assistance, and the patient suffered a perforated colon. On 4/2/2004, his privileges to perform endoscopic procedures at Union Regional Medical Center were summarily suspended. He appealed the suspension, and it was lifted on 4/8/2004. In July 2004, URMC revoked his privileges to perform endoscopic procedures and required he perform laparoscopic procedures only when assisted by another member of the medical staff with privileges to perform the procedure. Dr Mbadiwe does not currently have an active license to practice medicine in North Carolina.  
Action: 2/21/2008. Findings of Fact, Conclusions of Law, and Order of Discipline issued following hearing on 2/20/2008. Dr Mbadiwe's North Carolina medical license is indefinitely suspended, suspension being stayed immediately; he shall not perform colonoscopies and gastroscopies, he shall not perform laparoscopic procedures without the assistance of an experienced laparoscopic surgeon, and he shall not practice medicine in North Carolina until he has an active license issued by the Board.

**MURRAY, Susan Ann, Physician Assistant**

Location: Rocky Mount, NC (Nash Co) | DOB: 12/03/1957  
License #: 0001-02200  
PA Education: Medical College of Georgia (1993)

Cause: Ms Murray failed to comply with Board regulations while working at North Raleigh Primary Care by beginning to practice medicine as a PA prior to receiving confirmation of her intent to practice form, issuing prescriptions without the required identifying information, practicing as a PA without a signed supervisory arrangement with her supervising physician, failing to obtain any instructions for the prescribing of prescription drugs or a policy pertaining to periodic review of her prescribing, and failing to wear proper identification while working as a PA. She also failed to comply with Board regulations by beginning to practice as a PA at Vance Family Medicine prior to receiving confirmation of her intent to practice form.

Action: 2/28/2008. Findings of Fact, Conclusions of Law, and Order of Discipline issued following a hearing on 2/20/2008: Ms Murray's PA license is suspended indefinitely, and the Board reprimands her. She shall submit to an evaluation by NCPHP and meet with a panel of the Board for an informal interview.

**SMITH, Gregory Eugene, Physician Assistant**

Location: Rockingham, NC (Richmond Co) | DOB: 1/20/1957

License #: 0001-03971

PA Education: Cuyahoga Community College (1989)

Cause: The Board previously issued a notice indicating Mr Smith is delinquent in court-ordered child support. The Board has not received any notification from the designated representative of the North Carolina Department of Health and Human Services to stay these proceedings.

Action: 1/31/2008. Order of Suspension issued. Mr Smith's PA license is suspended indefinitely. Suspension is immediately stayed for 30 days from the date of service of the Order. If within 30 days Mr Smith produces notification certifying he is in compliance with his child support order or has entered into an acceptable agreement with the child enforcement agency to meet his obligations, then this Order of Suspension will be dissolved. If, after 30 days, he fails to produce notification he is in compliance with his child support order then the stay of suspension will be lifted, and Mr Smith's PA license will become inactive.

*See Consent Orders:*

**DILLOW, Michael Lee, Physician Assistant**

**GASTON, Johnny Eugene, MD**

**GLAESNER, Edward Julian, Nurse Practitioner**

**LINCOLN, Michael Scott, MD**

**McGHEE, James Ernest, MD**

**McINTOSH, Margaret Gloria, MD**

**QUILLEN, Rocky C., Physician Assistant**

**SESSOMS, Rodney Kevin, MD**

**STROTHER, Eric Furman, MD**

**TOMPKINS, Kenneth James, MD**

**SUMMARY SUSPENSIONS**

**GASTON, Johnny Eugene, MD**

Location: Fayetteville, NC (Cumberland Co) | DOB: 8/09/1948

License #: 0000-22112 | Specialty: PD (as reported by physician)

Medical Ed: Medical College of Ohio (1974)

Cause: The Board received a complaint about unsanitary conditions at Dr Gaston's office and a complaint about his prescribing. His medical records also demonstrate problems with documentation and with treatment of chronic pain patients. He has also admitted self-treating and self-medicating. Based on evaluation by the NCPHP, he was ordered to obtain a neuropsychological evaluation. Evaluation indicated evidence of cognitive impairment.

Action: 12/04/2007. Order of Summary Suspension of License issued.

**CONSENT ORDERS**

**BETHEL, Bradley Hutch, MD**

Location: Laurinburg, NC (Scotland Co) | DOB: 2/03/1954

License #: 0000-33616 | Specialty: IM (as reported by physician)  
Medical Ed: University Autonoma Guadalajara (1981)  
Cause: Dr Bethel performed annual colonoscopies on a patient from 1996 to 2000. His medical records for 1996 and 1997 did not record the appropriate level of detail for the extent of the examinations performed. A malpractice payment was made on Dr Bethel's behalf as a result of his care of the patient.  
Action: 1/25/2008. Non-Disciplinary Consent Order executed: Dr Bethel will not perform colonoscopies unless he receives prior approval from the Board; he shall meet with the Board on request to discuss his practice and clinical skills.

**BOYD, William Scott, Physician Assistant**

Location: Siler City, NC (Chatham Co) | DOB: 2/11/1975  
License #: 0001-02927  
PA Education: NA  
Cause: Application for license reinstatement. Mr Boyd has had a problem with substance abuse. He signed a Consent Order with the Board related to that problem on 3/22/2007. He violated that Consent Order by taking prescription medications from a cabinet at the clinic where he worked and inappropriately obtaining hydrocodone syrup. He surrendered his PA license on 10/16/2006. He has been a participant with the NCPHP and has completed inpatient treatment for his substance abuse problem.  
Action: 1/03/2008. Consent Order executed: Mr Boyd is issued a PA license to expire on the date shown on the license [7/03/2008] and is placed on probation on specific terms related to his substance abuse.

**BROADHEAD, Daniel David, MD**

Location: Virginia Beach, VA | DOB: 10/24/1943  
License #: 0000-16325 | Specialty: P (as reported by physician)  
Medical Ed: Bowman Gray School of Medicine (1969)  
Cause: Review of several of Dr Broadhead's charts found his record keeping for patients and his utilization of benzodiazepines were below acceptable standards. Deficiencies were also found in his simultaneous use of two benzodiazepines in high doses for anxiety and their use in patients with a history of substance abuse.  
Action: 1/08/2008. Consent Order executed: Dr Broadhead is reprimanded; must comply with other conditions.

**COLLINS, Paul Dwayne, MD**

Location: Pembroke, NC (Robeson, Co) | DOB: 2/8/1973  
License #: 2005-00139 | Specialty: FP (as reported by physician)  
Medical Ed: Wake Forest University School of Medicine (2001)  
Cause: In January 2005, Dr Collins entered into a Consent Order to obtain licensure because of his alcohol dependency, history of substance abuse, and multiple arrests for driving while impaired. As part of his Consent Order, he was to refrain from the use of mind-or-mood altering substances, including alcohol, and maintain a contract with the North Carolina Physicians Health Program. In February 2006, he tested positive for alcohol on a urine drug screen, and admitted to consuming alcohol. He voluntarily surrendered his North Carolina medical license and entered into a Consent Order with the Board in which his medical license was indefinitely suspended. His license was reinstated with a Consent Order with numerous conditions in place. In July 2007, Dr Collins appeared lethargic and incoherent at work and was admitted to the local emergency room where it was learned he took dextromethorphan to help combat a panic attack. He voluntarily surrendered his North Carolina medical license.  
Action: 2/8/2008. Consent Order executed. Dr Collins' license to practice medicine is revoked effective July 31, 2007.

**DILLON, Savtanter Singh, MD**

Location: Falls Church, VA | DOB: 8/23/1941  
License #: 0096-00118 | Specialty: P (as reported by physician)  
Medical Ed: University of N. Sumatra – Indonesia (1973)  
Cause: The Virginia Board of Medicine reprimanded Dr Dillon based on his conduct toward a patient, a physician, whom Dr Dillon harassed and threatened by means of letters. He also copied and kept portions of the patient's medical records after being terminated from employment from the facility where the patient had been treated.

Action: 2/14/2008. Consent Order executed. Dr Dillon is reprimanded. His medical license is placed on inactive status and he must apply to reactivate his license, which the Board is under no obligation to approve.

**DILLOW, Michael Lee, Physician Assistant**

Location: Morganton, NC (Burke Co) | DOB: 11/12/1948

License #: 0001-00563

PA Education: Kettering College (1977)

Cause: Between July 2005 and August 2007, Mr Dillow wrote prescriptions for controlled substances for Patient A without proper medical record documentation regarding, among other things, the patient's history, laboratory studies, working diagnosis and treatment plan, or continued rationale for prescribing the medication. Between October 2006 and April 2007, Mr Dillow engaged in a sexual relationship with Patient A while a physician assistant-patient relationship existed between them.

Action: 2/29/2008. Consent Order executed. Mr Dillow's PA license is suspended indefinitely; must comply with other conditions.

**GASTON, Johnny Eugene, MD**

Location: Fayetteville, NC (Cumberland Co) | DOB: 8/09/1948

License #: 0000-22112 | Specialty: PD (as reported by physician)

Medical Ed: Medical College of Ohio (1974)

Cause: The Board received complaints concerning Dr Gaston's office, appearance, and prescribing practices. In August 2007, the North Carolina Physicians Health Program conducted an assessment of Dr Gaston including a neuropsychological evaluation that raised questions about his ability to safely practice medicine. The Board summarily suspended Dr Gaston's license to practice medicine on 12/4/2007.

Action: 2/18/2008. Consent Order executed. Dr Gaston's North Carolina medical license is indefinitely suspended.

**GLAESNER, Edward Julian, Nurse Practitioner**

Location: Raleigh, NC (Wake Co) | DOB: 2/28/1966

Approval #: 0002-01867

NP Education: NA

Cause: One of Mr Glaesner's patients was arrested and a search of the patient's residence revealed boxes and bags full of empty bottles for controlled substances, a significant number from Mr Glaesner. The patient had a history of five failed back surgeries and Mr Glaesner was treating him for pain. Despite knowing the patient had served time in a Maryland jail and had a history of alleged criminal activity that would indicate drug seeking behavior, Mr Glaesner continued to prescribe for him. He also knew the patient had diverted narcotics to a girlfriend and yet began prescribing for her as well. Inspection of Mr Glaesner's NP documents showed deficiencies in various areas. He authorized a refill of a controlled substance prescription on 12/04/2007 at a time he did not have current NP approval. He refrained from practice for all but two days from 10/12/2007 to 1/18/2008.

Action: 1/18/2008. Consent Order executed: Mr Glaesner's NP approval is suspended for 12 months; suspension is stayed and he is placed on probation for 12 months on terms and conditions related to his improper prescribing of controlled substances; he must attend a prescribing course; must comply with other conditions.

**HARIHAN, Thomas Francis III, Physician Assistant**

Location: Chesapeake, VA | DOB: 11/23/1952

License #: 0001-01609

PA Education: Duke (1987)

Cause: The Board received information that Mr Harihan had conversations of a personal nature and physical contact with patients in a manner that made them feel uncomfortable. Mr Harihan stated his actions were motivated by sympathy and empathy for his patients. The Board reviewed Mr Harihan's practice and, as a result, Mr Harihan signed a contract with the North Carolina Physicians Health Program.

Action: 2/26/2008. Non-Disciplinary Consent Order executed. Mr Harihan shall maintain a contract with the North Carolina Physicians Health Program, and comply with all conditions contained in the contract.

**JOHNSON, Maxwell Kenneth, MD**

Location: Deland, FL | DOB: 4/22/1939

License #: 0000-28226 | Specialty: IM/ID (as reported by physician)  
Medical Ed: University Otago – New Zealand (1965)  
Cause: The Michigan Board of Medicine issued Dr Johnson a reprimand and fine of \$5,000.00 for failing to obtain the number of CME credits required by Michigan Public Health Code. In January 2003, the Board placed his license on inactive status for failure to register his North Carolina medical license. He entered into a Consent Order with the Board to reinstate his license and agreed, as a part of reinstatement, to submit records documenting his CME to the Board annually beginning September 1, 2004. Dr Johnson submitted records of the CME credits received in 2004, but failed to submit records of CME credits obtained for 2005 and 2006 as required by his Consent Order.  
Action: 2/26/2008. Consent Order executed: Dr Johnson is reprimanded; must comply with other conditions.

**LARSON, Michael Joseph, MD**

Location: Raleigh, NC (Wake Co) | DOB: 3/17/1951  
License #: 0000-28661 | Specialty: P (as reported by physician)  
Medical Ed: Faculty of Med and Srgy, Univ of Santo Tomas, Philippines (1979)  
Cause: Application for license reinstatement. In 2001, Dr Larson had a sexual relationship with a patient at Albemarle Mental Health Center. He also falsified the patient's record on one occasion to indicate she was seen on an office visit when, in fact, they had sexual intercourse. He left Albemarle Mental Health Center in August 2001 to work for the Department of Corrections in Raleigh without telling the subject patient. Dr Larson's North Carolina medical license was suspended on 10/19/2005. He has received an assessment and has signed a contract with the NCPHP. He is in compliance with his NCPHP contract. He understands the Board's position on substance and alcohol abuse.  
Action: 1/04/2008. Consent Order executed: Dr Larson is issued a license to expire on the date shown on the license [5/04/2008]; he is placed on probation limiting his practice to male patients in the prison system and requiring him to abide by specific terms and conditions related to drug and alcohol abuse.

**LINCOLN, Michael Scott, MD**

Location: Weddington, NC (Union Co) | DOB: 04/25/1968  
License #: 2001-00567 | Specialty: FP (as reported by physician)  
Medical Ed: UNC-CH (1998)  
Cause: Dr Lincoln treated Patient A for approximately five or six years for fibromyalgia and back pain. In September 2007, Patient A presented to Dr Lincoln with lower back pain. During his exam, he noticed Patient A had a tattoo on her lower back and asked if she had other tattoos, and if he could see them. It was necessary for Patient A to disrobe in order for Dr Lincoln to see the second tattoo. Upon seeing the tattoo, he inappropriately touched the tattoo and made an inappropriate remark. During an interview by practice management in September 2007, he acknowledged his conduct towards Patient A was inappropriate but insisted it was not of a sexual nature. On September 17, 2007, he accepted administrative leave from his practice and has not practiced since that time.  
Action: 2/20/2008. Consent Order executed. Dr Lincoln's medical license is suspended for 90 days to be applied retroactively from September 17, 2007, to the day Dr Lincoln went on administrative leave; must comply with other conditions.

**McGHEE, James Ernest, MD**

Location: Charlotte, NC (Mecklenburg Co) | DOB: 4/25/1953  
License #: 0094-00578 | Specialty: FP (as reported by physician)  
Medical Ed: Emory University (1988)  
Cause: Dr McGhee engaged in a sexual act with a patient on 6/25/2007. He surrendered his North Carolina license on 7/23/2007.  
Action: 1/18/2008. Consent Order executed: Dr McGhee's North Carolina medical license is suspended indefinitely. He may not make application for reinstatement before 7/23/2008; must comply with other requirements.

**McINTOSH, Margaret Gloria, MD**

Location: Charlotte, NC (Mecklenburg Co) | DOB: 8/05/1955  
License #: 0000-36117 | Specialty: NA  
Medical Ed: State University of New York, Buffalo (1981)

Cause: From June 2004 through April 2005, Dr McIntosh, as an independent contractor, provided medical services and wrote prescriptions for weight-loss medication through an Internet Web site based in Florida; in that period she authorized prescriptions without physical examinations or any physician-patient relationship; she permitted the Pillnetwork to bill patients for her services and was paid \$5 per medical questionnaire she reviewed; she issued prescriptions to less than half those who submitted questionnaires and required they have a primary provider who would send her the results of a routine physical.

Action: 1/18/2008. Consent Order executed: Dr McIntosh's license is suspended for 90 days; suspension is stayed on terms and conditions; she shall comply with the Board's position statements on prescribing; she shall attend a prescribing course; she shall not split or share medical fees with a business corporation; must comply with other conditions.

**MOCLOCK, Michael Anthony, MD**

Location: Dubois, PA | DOB: 11/18/1951  
License #: 2007-01013 | Specialty: FP (as reported by physician)  
Medical Ed: Medical College of Pennsylvania (1990)  
Cause: To amend his Consent Order of 6/14/2007.  
Action: 1/25/2008. Amended Consent Order executed: the indefinite suspension contained in the second paragraph of the June Consent Order is lifted.

**MORGAN, Elizabeth Sarah, MD**

Location: Charlotte, NC (Mecklenburg Co) | DOB: 11/24/1967  
License #: 2008-0109 | Specialty: OBGYN (as reported by physician)  
Medical Ed: University of Rochester School of Medicine (1994)  
Cause: In 2004, Dr Morgan underwent emergency surgery and returned to practice OBGYN in June 2005. She has an unrestricted license in New York, and voluntarily limited her practice in NY approximately one year after her surgery. She met with members of the North Carolina Board in November 2007 to discuss her health and practice plans.  
Action: 2/4/2008. Consent Order Executed. Dr Morgan is issued a license to practice medicine and surgery. She shall limit her practice to office-based, nonoperative gynecology and ultrasound interpretations, and medical education; must comply with other conditions.

**QUILLEN, Rocky C., Physician Assistant**

Location: Shallotte, NC (Brunswick Co) | DOB: 10/17/1947  
License #: 0001-02450  
PA Education: Kettering College (1997)  
Cause: Mr Quillen directed the office staff where he was practicing to call in prescriptions for a member of his family (Patient A) under the name of his supervising physician and another physician assistant without their knowledge or permission.  
Action: 2/20/2008. Consent Order executed. Mr Quillen's PA license is suspended for 60 days beginning 3/1/ 2008; must comply with other conditions.

**ROSENBERG, Mark Robert, MD**

Location: Ellisville, MO | DOB: 5/13/1961  
License #: 0000-34447 | Specialty: P  
Medical Ed: Duke University (1987)  
Cause: Dr Rosenberg pled guilty to two misdemeanor counts relating to receiving and retaining stolen property, specifically \$159.00. As a result, the State Medical Board of Ohio entered an Order where Dr Rosenberg's inactive certificate to practice medicine in Ohio was revoked, with revocation being stayed, and his certificate being suspended for an indefinite period of time, but not less than one year, with conditions for reinstatement or restoration. The Kentucky Board of Medical Licensure entered an Order of Probation, placing his license on probation for one year subject to certain terms and conditions.  
Action: 2/20/2008. Consent Order executed. Dr Rosenberg's North Carolina medical license is placed on probation for one year under the conditions contained in his Consent Order with the Kentucky Board.

**SCOTTI, Stephen Douglas, MD**

Location: Winston Salem, NC (Forsyth Co) | DOB: 11/16/1957

License #: RTL | Specialty: NM/DR (as reported by physician)  
Medical Ed: George Washington University School of Medicine (1987)  
Cause: Dr Scotti holds a medical license in California, Maryland, Vermont, and Colorado. He has a history of substance abuse and has sought treatment, reporting a sobriety date of 9/21/2001, and has been monitored for the presence of drugs and alcohol in his body since October 2001. He has signed a monitoring contract with the North Carolina Physicians Health Program.  
Action: 2/7/2008. Consent Order executed. The Board shall issue Dr Scotti a resident training license; he shall maintain his contract with the NCPHP, must comply with other conditions.

**SESSOMS, Rodney Kevin, MD**

Location: Clinton, NC (Sampson Co) | DOB: 12/13/1961  
License #: 0000-33927 | Specialty: IM (as reported by physician)  
Medical Ed: East Carolina University (1989)  
Cause: Dr Sessoms was ordered to obtain an assessment at the Center for Personalized Education for Physicians because of his care of Patient A. He obtained a neuropsychological evaluation which raised questions about his ability to safely practice medicine. He has informed the Board he is working to determine the nature of and possible treatments for the concerns identified in the evaluation. He has cooperated completely with the Board.  
Action: 2/21/2008. Consent Order executed. Dr Sessoms' North Carolina medical license is indefinitely suspended.

**SIROIS, Cindy Nguyen, MD**

Location: Pompano, FL | DOB: 12/5/1973  
License #: 2006-01680 | Specialty: DR (as reported by physician)  
Medical Ed: George Washington University School of Medicine (1998)  
Cause: On 3/23/2007, Dr Sirois entered into a Memorandum of Agreement with the State Medical Board of Alaska because she submitted an application indicating she had never been under investigation by any medical licensing authority. She failed to disclose that in 2005 she was the subject of investigation conducted by the Florida Department of Health Agency for Health Care Administration in which, as a result of a complaint, she was issued a capital letter of Caution and a Uniform Non-Disciplinary Citation imposing a civil fine in the amount of \$1,000 for failure to submit continuing medical education required by law. She stated at the time she did not view this citation as an investigation into her Florida license. She acknowledges she should have indicated that she had been under investigation by a medical licensing authority. The Alaska Board placed a reprimand on Dr Sirois' license file.  
Action: 1/21/2008. Consent Order executed. Dr Sirois is reprimanded.

**SMITH, Barbara Hollandsworth, MD**

Location: Greensboro, NC (Guilford Co) | DOB: 12/3/1951  
License #: 0000-29200 | Specialty: NP/CHP  
Medical Ed: UNC-CH (1983)  
Cause: Dr Smith treated Patient A, prescribing benzodiazepines to treat his condition. At some point, she turned over Patient A to a clinical pharmacist practitioner to monitor his medications and his response to the medications. She admitted to the Board that she lost track of Patient A's care in regards to his response to the medications and his problems associated with substance abuse.  
Action: 2/19/2008. Consent Order executed. Dr Smith shall not serve as a primary supervising physician for any mid-level practitioner. She may serve as a back-up supervising physician for mid-level practitioners but only in an institutional setting, and only when other physicians are not available; must comply with other conditions.

**SMITH, Michael Lantry, MD**

Location: Nags Head, NC (Dare Co) | DOB: 4/13/1944  
License #: 2003-01293 | Specialty: GS/SO (as reported by physician)  
Medical Ed: Medical College of Wisconsin (1972)  
Cause: To amend Consent Order of 12/18/2007, adding a requirement that he attend a prescribing and ethics course. Had prescribed for and treated two family members.  
Action: 1/22/2008. Amended Consent Order executed: Dr Smith is reprimanded and shall attend a prescribing and ethics course.



**STROTHER, Eric Furman, MD**

Location: Durham, NC (Durham Co) | DOB: 12/3/1964  
License #: 0099-01620 | Specialty: AN (as reported by physician)  
Medical Ed: UT Southeastern Medical School (1994)  
Cause: Dr Strother received treatment for chemical dependency in 2004 but relapsed in 2007. He received additional residential treatment from April to August 2007 and is a participant with the North Carolina Physicians Health Program. He surrendered his North Carolina medical license on 8/31/2007.  
Action: 2/20/2008. Consent Order executed. Dr Strother's North Carolina medical license is indefinitely suspended.

**TOMPKINS, Kenneth James, MD**

Location: Virginia Beach, VA | DOB: 9/22/1956  
License #: 0097-01625 | Specialty: D (as reported by physician)  
Medical Ed: Jefferson Medical College (1982)  
Cause: In May 2007, the Board learned that Dr Tompkins had been convicted of driving while impaired in 1999. The Board ordered he submit to an evaluation by the North Carolina Physicians Health Program. The NCPHP recommended he obtain an assessment at a chemical dependency treatment facility. In September 2007, he entered into a Consent Order with the Board based on action taken by the Virginia Medical Board. He then entered into a treatment facility in October 2007, where he tested positive for MDMA and cocaine and admitted to using cocaine. Dr Tompkins voluntarily surrendered his North Carolina medical license on 10/22/2007.  
Action: 2/2/7/2008. Consent Order executed. Dr Tompkins' license to practice in North Carolina is suspended indefinitely.

**WEBER, Jeffrey Alan, Physician Assistant**

Location: Knightdale, NC (Wake Co) | DOB: 6/02/1965  
License #: 0001-01750  
PA Education: Alderson-Broaddus (1993)  
Cause: Mr Weber was involved in a dispute with his supervising physician regarding staffing certain shifts at the practice where he was employed. As a result, he abruptly quit the practice and left the premises while his patients were waiting to be seen by him. The Board also found that on application for licensure, he failed to disclose that he had been convicted in February 1989 for driving while under the influence, and failed to disclose on his annual registration in 2006 and in 2007 that he had been charged and accepted responsibility for a charge of misdemeanor larceny in February 2006.  
Action: 2/28/2008. Consent Order executed. Mr Weber is reprimanded.

**MISCELLANEOUS ACTIONS****GERNERT, John O'Dell, MD**

Location: Orlando, FL | DOB: 12/07/1973  
License #: 2003-00346 | Specialty: AN/APN (as reported by physician)  
Medical Ed: Spartan Health Sciences University, St Lucia (1999)  
Cause: In 2007, while neither admitting nor denying the allegations of the Florida Board that he had performed a wrong-side surgery, Dr Gernert agreed to a settlement with the Florida Board that included a public letter of concern and a fine. This was incorporated in the Florida Board's Final Order.  
Action: 1/23/2008. Findings of Fact, Conclusions of Law, and Order of Discipline issued following hearing on 10/17/2007: Dr Gernert shall be issued a Public Letter of Concern.

**MacKOUL, Paul Joseph, MD**

Location: McLean, VA | DOB: 8/11/1960  
License #: 0093-00212 | Specialty: OB/GYN (as reported by physician)  
Medical Ed: Tufts University School of Medicine (1998)  
Cause: Dr MacKoul was reprimanded by the District of Columbia Board based on allegations he failed to disclose an adverse action when he filled out his annual registration with the DC Board.  
Action: 1/28/2008. Findings of Fact, Conclusions of Law, and Order of Discipline issued following hearing on 10/17/2007: Dr MacKoul is reprimanded.

**SMITH, Gregory Eugene, Physician Assistant**

Location: Rockingham, NC (Richmond Co) | DOB: 1/20/1957

License #: 0001-03971

PA Education: Cuyahoga Community College (1989)

Cause: The Board previously issued an Order of Suspension in which Mr Smith was ordered to produce notification from the designated representative or child support enforcement agency certifying he is in compliance with his child support order or has entered into an acceptable agreement with the child support agency to meet his obligations within 30 days from the date of service of the Order.

Action: 2/28/2008. Order issued. The 30 day period has been extended to 3/31/2008, based on documentation that Mr Smith has reached a tentative agreement with the child support enforcement agency.

**TITUS, Peter Michael, Physician Assistant**

Location: Lakewood, CO | DOB: NA

License #: 0001-00263

PA Education: NA

Cause: The Colorado Board and Mr Titus entered into a Stipulation and Final Agency Order placing Mr Titus' PA license on indefinite probation subject to terms and conditions.

Action: 2/21/2008. Findings of Fact, Conclusion of Law, and Order of Discipline issued following a hearing on 2/20/2008. Mr Titus' PA license is placed on indefinite probation. He must comply with the terms and conditions of the May 2006 Order of the Colorado Board.

**DENIALS OF RECONSIDERATION/MODIFICATION**

NONE

**DENIALS OF LICENSE/APPROVAL**

**RAMSEY, Gary Griffen, MD**

Location: Salipan, Miriana Islands | DOB: 11/26/1956

License #: NA | Speciality: OBGYN

Medical Ed: University of California, LA, David Geffen School of Medicine (1990)

Action: 2/4/2008. Denial of application for reinstatement of North Carolina Medical license.

**SURRENDERS**

**BALENTINE, Kerry Layne, MD**

Location: Grover, NC (Cleveland Co) | DOB: 5/03/1962

License #: 2005-00514 | Specialty: P (as reported by physician)

Medical Ed: University of Oklahoma Health Science Center (2001)

Action: 11/19/2007. Voluntary surrender of North Carolina medical license.

**WERTHEIMER, Thomas Albert, MD**

Location: Wilmington, NC (New Hanover Co) | DOB: 08/07/1963

License #: 0099-00386 | Specialty: IM (as reported by physician)

Medical Ed: State University of New York, Syracuse (1996)

Action: 2/7/2008. Voluntary surrender of North Carolina medical license.

**PUBLIC LETTERS OF CONCERN**

**DAVIDSON, Andrew, MD**

Location: New Bern, NC (Craven Co) | DOB: 12/19/1943

License #: 0000-16343 | Specialty: OPH (as reported by physician)

Cause: The Board is concerned regarding a payment made on Dr Davidson's behalf in resolution of a claim arising out of an allegedly delayed diagnosis of a female patient who suffered from a sebaceous carcinoma on her eyelid.

Action: 2/8/2008. Public Letter of Concern issued. Dr Davidson is admonished and cautioned that any repetition of such an incident may lead to formal disciplinary proceedings.

**GERNERT, John O'Dell, MD**

Location: Orlando, FL | DOB: 12/07/1973

License #: 2003-00346 | Specialty: AN/APN (as reported by physician)

Medical Ed: Spartan Health Sciences University (1999)

Cause: While in a fellowship, Dr Gernert performed nerve blocks on a patient on the wrong side. The procedure was then completed on the correct side. The Florida Board of Medicine issued a settlement agreement in February 2007 and Final Order in April 2007 in which he was issued a Letter of Concern, assessed a monetary fine, required to perform 50 hours of community service, and complete five hours of CME in Risk Management.

Action: 2/06/2008. Public Letter of Concern issued. The Board cautions Dr Gernert that repetition of similar facts and circumstances leading to the Florida Board action against his license may lead to the commencement of additional disciplinary proceedings against his license to practice in North Carolina.

**GOYAL, Maheep Kumar, MD**

Location: Royersford, PA | DOB: 1/28/1964

License #: 2003-00605 | Specialty: DR (as reported by physician)

Medical Ed: Jefferson Medical College (1988)

Cause: In reviewing a malpractice claim payment made on Dr Goyal's behalf in 2007, the Board was concerned he misinterpreted an ultrasound study without correlating that interpretation with a previous abnormal CT scan and without communicating properly with the patient's primary care physician. This led to delay in diagnosis and treatment of the patient's ovarian cancer.

Action: 1/11/2008. Public Letter of Concern issued: Dr Goyal is admonished and cautioned that any repetition of such an incident may lead to formal disciplinary proceedings.

**KILFOIL, Mary Martha, MD**

Location: Hendersonville, NC (Henderson Co) | DOB: 4/15/1948

License #: 0094-01431 | Specialty: IM (as reported by physician)

Medical Ed: Autonoma De Guadalajara (1987)

Cause: In reviewing information regarding a claim payment on Dr Kilfoil's behalf in 2007, Dr Kilfoil ordered chest and spine films for Patient A for complaints of worsening back pain, intermittent chest pain, and concern regarding history of smoking. The radiologic interpretation noted concern for potential parenchymal lesion and recommended a chest CT. Dr Kilfoil indicated, in testimony, she did not see the radiologic findings. The pain worsened, and Patient A was informed the pain was due to degenerative joint disease or osteoarthritis. An orthopedist ordered a lumbar MRI and upper body scan which demonstrated multiple areas of suggestive bone metastases. The patient expired in August 2004.

Action: 2/29/2008. Public Letter of Concern issued. Dr Kilfoil is encouraged to address any outstanding issues related to the matter and is cautioned that any repetition of such incident may lead to formal disciplinary action.

**LEYTON, Matthew Neal, MD**

Location: Woodland Hills, CA | DOB: 1/07/1960

License #: 2005-00215 | Specialty: Pain Med (as reported by physician)

Medical Ed: Creighton University School of Medicine (1997)

Cause: Dr Leyton prescribed to himself and family members, but those prescriptions did not include controlled substances and no one suffered harm.

Action: 1/17/2008. Public Letter of Concern issued: Dr Leyton is encouraged to refrain from prescribing for family members and is cautioned that any repetition of such an incident may lead to formal disciplinary proceedings.

**McCARTHY, William Golden, Jr, MD**

Location: Rock Hill, SC | DOB: 5/13/1955

License #: 0093-00754 | Specialty: OS (as reported by physician)

Medical Ed: Louisiana State University (1985)

Cause: In reviewing a claim payment made on Dr McCarthy's behalf, the Board noted he initiated a procedure on the wrong ankle, leaving 1cm wounds that had to be sutured. The procedure then was completed on the correct ankle without incident.

Action: 1/02/2008. Public Letter of Concern issued: Dr McCarthy is encouraged to implement systems to help prevent such errors in the future; he is cautioned that any repetition of this type of error may lead to formal disciplinary proceedings.

**MULLEN, Joseph Patrick, III, MD**

Location: Shelby, NC (Cleveland Co) | DOB: 09/04/1946  
License #: 0093-00769 | Specialty: EM (as reported by physician)  
Medical Ed: Jefferson Medical College (1973)  
Cause: The Board is concerned that Dr Mullen closed his medical spa practice without notice to patients and in a manner not consistent with the Board's Position Statement on closing of medical practices.  
Action: 2/20/2008. Public Letter of Concern issued. Dr Mullen is admonished and cautioned that any repetition of such an incident may lead to formal disciplinary proceedings.

**COURT APPEALS/STAYS**

NONE

**CONSENT ORDERS LIFTED**

**CAMPBELL, Jeffrey Paul, MD**

Location: Lumberton, NC (Robeson Co) | DOB: 10/14/1962  
License #: 0000-38308 | Specialty: OTH/PS (as reported by physician)  
Medical Ed: UNC-CH (1988)  
Action: 212/2008. Order issued lifting Consent Order of 8/19/2004.

**HAMBLETON, Scott Lewis, MD**

Location: Hattiesburg, MS | DOB: 4/15/1963  
License #: 2000-00444 | Specialty: FM/ADDM (as reported by physician)  
Medical Ed: University of Tennessee, Memphis College of Medicine (1994)  
Action: 2/7/2008. Order issued lifting Consent Order of 8/15/2007.

**KPEGLO, Maurice Kopla, MD**

Location: Greensboro, NC (Guilford Co) | DOB: 1/04/1949  
License #: 0000-29314 | Specialty: GP/PD (as reported by physician)  
Medical Ed: UNC-CH (1983)  
Action: 2/07/2008. Order issued lifting Consent Order of 8/11/2006.

**KRZYZANIAK, Raymond Leonard, MD**

Location: Charlotte, NC (Mecklenburg Co) | DOB: 10/19/1952  
License #: 0000-31854 | Specialty: PTH/HMP (as reported by physician)  
Medical Ed: Indiana University School of Medicine (1979)  
Action: 2/7/2008. Order issued lifting Consent Order of 9/21/2006. Dr Krzyzaniak's license is reinstated.

**PHILLIPS, Thomas Caldwell, III, MD**

Location: Sanford, NC (Lee Co) | DOB: 8/24/1957  
License #: 0000-32830 | Specialty: NEP/IM (as reported by physician)  
Medical Ed: Emory University (1982)  
Action: 1/15/2008. Order issued lifting Consent Order of 9/23/2005.

**RUFF, Ronnie, Harry, MD**

Location: Lake Oswego, OR | DOB: 3/25/1957  
License #: 0000-29386 | Specialty: AN (as reported by physician)  
Medical Ed: University of California, San Diego (1982)  
Action: 1/31/2008. Order issued lifting Consent Order of 4/3/2006.

**WOGLOM, Peter B., Physician Assistant**

Location: Windsor, NC (Bertie Co) | DOB: 7/28/1955  
License #: 0001-01652  
PA Education: George Washington University (1983)  
Action: 1/16/2008. Order issued lifting Consent Order of 8/21/2006.

**TEMPORARY/DATED LICENSES:**

**ISSUED, EXTENDED, EXPIRED, OR REPLACED BY FULL LICENSES**

**HAMBLETON, Scott Lewis, MD**

Location: Hattiesburg, MS | DOB: 4/15/1963  
License #: 2000-00444 | Specialty: FP/EM (as reported by physician)  
Medical Ed: University of Tennessee, Memphis College of Medicine (1994)  
Action: 1/17/2008. Full and unrestricted license issued.

**KPEGLO, Maurice Kobla, MD**

Location: Greensboro, NC (Guilford Co) | DOB: 1/04/1949  
License #: 0000-29314 | Specialty: GP/PD (as reported by physician)  
Medical Ed: University of North Carolina School of Medicine (1983)  
Action: 1/17/2008. Full and unrestricted license issued.

**ROBINSON, Lindwood Allen, MD**

Location: Raleigh, NC (Wake Co) | DOB: 7/08/1971  
License #: 2001-01126 | Specialty: EM (as reported by physician)  
Medical Ed: University of North Carolina School of Medicine (1997)  
Action: 1/17/2008. Temporary/dated license issued to expire 7/31/2008

**ROSNER, Michael John, MD**

Location: Hendersonville, NC (Henderson Co) | DOB: 12/04/1946  
License #: 0000-26865 | Specialty: NS (as reported by physician)  
Medical Ed: Virginia Commonwealth University School of Medicine (1972)  
Action: 1/17/2008. Temporary/dated license issued to expire 9/30/2008

*See Consent Orders:*

**BOYD, William Scott, Physician Assistant**

**LARSON, Michael Joseph, MD**

**DISMISSALS**

**HOWARD, Charles Dewayne, MD**

Location: Springfield, KY | DOB: 7/31/1935  
License #: 0000-15746 | Specialty: NA  
Medical Ed: University of Louisville (1961)  
Cause: None cited.  
Action: 1/22/2008. Notice of Dismissal, without prejudice, of charges dated 5/10/2004.

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**REENTRY AGREEMENTS**

**BLAIR, Ellen Kay, MD**

Location: Raleigh, NC (Wake Co) | DOB: 3/03/1957  
License #: 2008-00079 | Specialty: IM (as reported by physician)  
Medical Ed: Jefferson Medical College (1983)  
Cause: Dr Blair has not practiced since January 2005.

Action: 1/22/2008. Reentry Agreement executed: Dr Blair is issued a license and shall practice under observation of a physician colleague for six months; the observer shall report to the Board on Dr Blair's skills at the close of the six-month period.

**PFAFFENBERGER, Marta Ariel, MD**

Location: Miami, FL | DOB: 10/11/1946

License #: 2008-00046 | Specialty: FP (as reported by physician)

Medical Ed: National University Rosario, Argentina (1973)

Cause: Application for a retired limited volunteer license. Dr Pfaffenberger has not practiced since January 2005. She knows the limitations of a retired limited volunteer license and agrees to practice in accord with those parameters.

Action: 1/14/2008. Reentry Agreement and Order, Retired Limited Volunteer License: Dr Pfaffenberger is issued a retired limited volunteer license; she shall have a physician colleague observe her practice for six months; the observer shall report to the Board on her skills at the end of the six- month period.