

BEFORE THE DELAWARE BOARD OF MEDICAL PRACTICE

IN RE: GREGORY N. VILLABONA) Case No. 10-35-06

CONSENT AGREEMENT

A written Complaint has been filed with the Delaware Board of Medical Practice (“Board”) alleging that Gregory N. Villabona, M.D, (“Respondent”), the holder of a certificate to practice medicine issued by the Board, engaged in conduct that constituted grounds for discipline pursuant to Delaware’s *Medical Practice Act*. (24 *Del.C.* Ch. 17)

The State of Delaware and Respondent submit this Consent Agreement for approval by the Board as a means of resolving the pending administrative prosecution against Respondent pursuant to 24 *Del.C.* § 1731. The parties submit the following for the Board’s consideration:

1. RESPONDENT’S VIOLATIONS OF LAW

- A. Respondent is a Delaware licensed physician, License No. C1-0004007.
- B. Respondent is a psychiatrist.
- C. On March 26, 2006, a complaint was made that in February 2002, Respondent had consensual sexual relations with a 22 year old female patient.
- D. Respondent violated the provisions of 24 *Del.C.* §1731(b)(3) and Rule 15.1.2 of the Board of Medical Practice’s Rules and Regulations in that he exploited the doctor/patient privilege for personal gain or sexual gratification and as such is guilty of unprofessional conduct.
- E. Pursuant to 24 *Del. C.* § 1731, the Board of Medical Practice may impose sanctions or take action upon a finding that a licensee is guilty of unprofessional conduct.

2. RESPONDENT'S KNOWLEDGE OF FACTS AND VIOLATIONS OF LAW

Respondent admits that the factual allegations set forth in Paragraphs 1.A through 1.E above are true and accurate and that his conduct violated the provisions of 24 *Del.C.* § 1731(b)(3).

3. DISCIPLINARY SANCTIONS, TERMS AND CONDITIONS

The State of Delaware and Respondent agree to the imposition of disciplinary sanctions by the Board and to be bound by the terms and conditions as follows:

ORDERED AND AGREED:

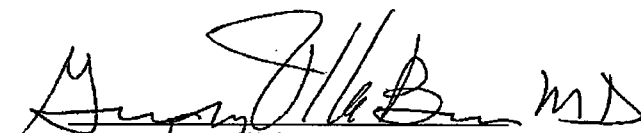
- A. As to all new patients, Respondent's license is hereby immediately restricted and his medical practice limited to providing treatment to male patients over the age of 18 years. Respondent must immediately and forever cease treatment of all female patients and all male patients under the age of 18 years. Under no circumstances is Respondent permitted to meet professionally with or treat any person, male or female, under the age of 18 years. Under no circumstances is Respondent permitted to meet professionally with or treat any female person of any age. These limitations and restrictions are permanent.
- B. As to current patients, Respondent has been prohibited from treating patients under the age of 18 years such that he has no current patients under the age of 18 years.
- C. As to current female patients, notwithstanding the provisions of Paragraph A above, Respondent has ninety (90) days from the date he signs this Consent Agreement to cease all treatment of female patients over the age of 18 years.

- D. Respondent's current probation scheduled to terminate in June 2010 is continued until June 2015.
- E. At all times during Respondent's probationary period, Respondent will be subject to unannounced compliance checks of his office and records by investigators employed by or appointed by the Division of Professional Regulation.
- F. Respondent's failure to fully cooperate with compliance checks will constitute violation of this Consent Agreement.
- G. Upon the approval of the Board of Medical Practice, the terms and provisions of this Consent Agreement will extinguish and supersede the terms and provisions of all other current Orders of the Board concerning Respondent.
- H. Any violation of the terms of this Order shall be immediately reported to the Board by the Executive Director. Dr. Villabona will be notified by mail within two days of the receipt of an allegation that he has violated the terms of this Order. Upon receipt of a formal complaint filed by a Deputy Attorney General alleging a violation of this Order, the Executive Director shall schedule a hearing before the full Board within thirty (30) days. If a formal complaint is filed by a Deputy Attorney General alleging a violation of this Order, Dr. Villabona consents to the immediate suspension of his license, upon notification of the charge, pending the hearing and final disposition of the complaint.
- I. The Board reserves jurisdiction, in connection with any further hearing, to determine whether any additional conditions or restrictions up to and

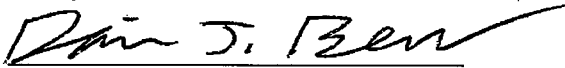
including revocation of Dr. Villabona's license are necessary to protect the public.

J. Respondent further agrees and acknowledges that in the event the Board determines not to accept this Consent Agreement, neither he nor anyone on his behalf will in any way or in any forum challenge the ability of the Board or any of its members to conduct an evidentiary hearing relating to the allegations in the subject Complaint on the basis of the Board's prior consideration of this proposed Consent Agreement.

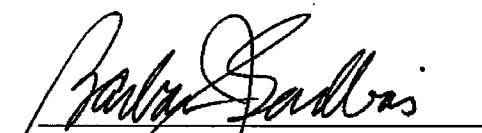
K. This Consent Agreement shall be immediately effective and will continue to be in effect until and unless rejected by Order of the Board.


Gregory N. Villabona, M.D.
Respondent


Dated: 05/27/2008


David J. Bever, Esquire
Attorney for Dr. Villabona

Dated: 05/27/2008


Barbara J. Gadbois (I.D. No. 2544)
Deputy Attorney General
State of Delaware

Dated: 5-30-08


Gayle L. MacAfee, M.S.
Executive Director
Delaware Board of Medical Practice

Dated: 6-02-08

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ORDER

WHEREAS, the Board of Medical Practice has reviewed this matter and hereby approves the Agreement of the parties, and enters it now as an Order of the Board.

IT IS SO ORDERED this 3rd day of June, 2008.

John D.

James J. [Signature]

Lawrence [Signature]

George E. Brown

Albert [Signature]

Pharm [Signature]

[Signature]

William M. [Signature]

Oliver [Signature]

Roy A. Blackwell [Signature]

Walter [Signature]
