

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:)
)
David Daniel Broadhead, M.D.,) CONSENT ORDER
)
Respondent.)

This matter is before the North Carolina Medical Board (hereafter, "Board") on information regarding David Daniel Broadhead, M.D. (hereafter, "Dr. Broadhead"). Dr. Broadhead admits, and the Board finds and concludes, that:

Whereas, the Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Article 1 of Chapter 90 of the North Carolina General Statutes and the rules and regulations promulgated thereto, and

Whereas, Dr. Broadhead is a physician licensed by the Board to practice medicine and surgery on or about June 19, 1969, license number 16325, and

Whereas, at the times relevant herein, Dr. Broadhead practiced medicine in Southern Shores, North Carolina, and

Whereas the Board received information that gave it concern about Dr. Broadhead's prescribing practices, particularly his prescribing of controlled substances, and

Whereas, the Board obtained several charts of Dr. Broadhead's patients and had those charts reviewed by an outside expert, and

Whereas, that review found that Dr. Broadhead's record keeping and documentation for his patients, as well as his utilization of benzodiazepines, were below acceptable and prevailing standards of practice in North Carolina, and

Whereas, the review of Dr. Broadhead's patient charts also found deficiencies with Dr. Broadhead's simultaneous use of two benzodiazepines in high doses for anxiety and that use of same in patients with a history of substance abuse, and

Whereas, Dr. Broadhead's conduct, as described above, constitutes unprofessional conduct, including, but not limited to, departure from, or the failure to conform to, the standards of acceptable and prevailing medical practice, irrespective of whether or not a patient is injured thereby, within the meaning of N.C. Gen. Stat. § 90-14(a)(6), and grounds exist under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke, or limit Dr. Broadway's license to practice medicine issued by the Board or to deny any future application he

might make, and

Whereas, Dr. Broadhead would like to resolve this matter without the need for more formal proceedings, and

Whereas, the Board has determined that it is in the public interest to resolve this case as set forth below;

Now, therefore, with Dr. Broadhead's consent, it is ORDERED that:

1. Dr. Broadhead be and hereby is REPRIMANDED for the above-described conduct.

2. Dr. Broadhead shall obey all laws. Likewise, he shall obey all rules and regulations involving the practice of medicine.

3. Dr. Broadhead shall notify the Board in writing of any change in his residence or practice addresses within ten (10) days of the change.

4. Dr. Broadhead shall meet with the Board or members of the Board for an informal interview at such times as requested by the Board.

5. If Dr. Broadhead fails to comply with any of the terms of this Consent Order, that failure shall constitute unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and shall be grounds, after any required notice and hearing, for the Board to annul, suspend, or revoke his license to practice medicine

and surgery and to deny any application he might make in the future or then have pending for a license.

6. This Consent Order shall take effect immediately upon its execution by both Dr. Broadhead and the Board, and it shall continue in effect until specifically ordered otherwise by the Board.

7. Dr. Broadhead hereby waives any requirement under law or rule that this Consent Order be served on him.

8. Upon execution by Dr. Broadhead and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be reported to persons, entities, agencies, and clearinghouses as required by and permitted by law including, but not limited to, the Federation of State Medical Boards, the National Practitioner's Data Bank, and the Healthcare Integrity and Protection Data Bank.

By Order of the North Carolina Medical Board this the 8th
day of January, 2007^s.

NORTH CAROLINA MEDICAL BOARD

By: Janelle A Rhyne MD, FACP
Janelle A. Rhyne, M.D.
President

Consented to this the 24th day of December, 2007.

David Daniel Broadhead MD
David Daniel Broadhead, M.D.
DANIEL DAVID BROADHEAD MD

State of North Carolina

Dare County

I, Cynthia Cestare, a Notary Public for the above
named County and State, do hereby certify that David Daniel
Broadhead, M.D., personally appeared before me this day and
acknowledged the due execution of the foregoing instrument.

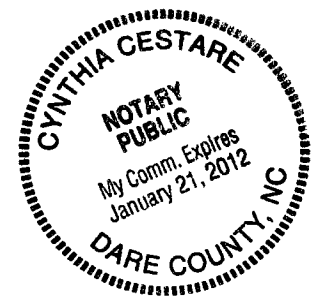
Witness my hand and official seal

this the 24 day of December, 2007.

Cynthia Cestare
Notary Public

(SEAL)

My Commission expires: 1/31/12



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NORTH CAROLINA MEDICAL BOARD

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David Daniel Broadhead, M.D.,)	CONSENT ORDER
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Respondent.)	

This matter is before the North Carolina Medical Board ("Board") on information regarding David Daniel Broadhead, M.D. ("Dr. Broadhead"). Dr. Broadhead admits, and the Board finds and concludes, that:

Whereas, the Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Article 1 of Chapter 90 of the North Carolina General Statutes, and

Whereas, the Board issued Dr. Broadhead a license to practice medicine and surgery on June 19, 1969, license number 16325, and

Whereas, during the times relevant herein, Dr. Broadhead practiced medicine in Southern Shores, North Carolina, and

Whereas, in January 2008, Dr. Broadhead entered into a Consent Order with this Board based on findings that Dr. Broadhead had certain deficiencies in the manner in which he practiced medicine, and

Whereas, as part of the Board's ongoing review of Dr. Broadhead, the Board ordered Dr. Broadhead for a professional assessment by the Center for Personalized Education for Physicians ("CPEP"), and

Whereas, Dr. Broadhead complied with that Board Order and completed an assessment with CPEP, and

Whereas, the result of that assessment was that Dr. Broadhead had certain clinical deficiencies and that Dr. Broadhead needed to formulate a remediation plan to address these deficiencies, and

Whereas, as part of the Board's assessment, the Board learned that Dr. Broadhead had a medical condition that could affect his ability to practice medicine with a reasonable degree of skill and safety, and

Whereas, as evidenced by the above conduct, the Board has a basis to order Dr. Broadhead to undertake a remediation plan within the meaning of N.C. Gen. Stat. § 90-14(a)(5), and grounds exist under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke, or limit Dr. Broadhead's license to practice medicine issued by the Board or to deny any application he might make in the future, and

Whereas, Dr. Broadhead would like to resolve this matter without the need for more formal proceedings, and

Whereas, the Board has determined that it is in the public interest to resolve this case as set forth below.

Now, therefore, with Dr. Broadhead's consent, it is ORDERED that:

1. Within THIRTY (30) DAYS of the execution of this Consent Order, Dr. Broadhead shall develop a remediation plan consistent with the recommendations contained in Dr. Broadhead's CPEP report and have this plan approved by the Board's Medical Director. Failure to develop an approved remediation plan within the prescribed period of time shall be deemed a violation of this Consent Order and grounds for the Board to discipline Dr. Broadhead's license to practice medicine. Furthermore, Dr. Broadhead shall comply with all aspects of his approved remediation plan and failure to comply shall be deemed a violation of this Consent Order and grounds for the Board to discipline Dr. Broadhead's license.

2. Within THIRTY (30) DAYS of the execution of this Consent Order, Dr. Broadhead shall enter into and maintain a ~~contract with the North Carolina Physicians Health Program~~ ("NCPHP") and abide by its terms, including the timely payment of any fees required by NCPHP. Failure to enter into a contract with NC PHP within the prescribed period and any violation of the terms and conditions of his NCPHP contract shall be deemed a

violation of this Consent Order and grounds for the Board to discipline Dr. Broadhead's license to practice medicine.

3. Dr. Broadhead shall obey all laws. Likewise, he shall obey all rules and regulations involving the practice of medicine.

4. Dr. Broadhead shall notify the Board in writing of any change in his residence or practice addresses within ten (10) days of the change.

5. Dr. Broadhead shall meet with the Board or members of the Board for an informal interview at such times as requested by the Board.

6. If Dr. Broadhead fails to comply with any of the terms of this Consent Order, that failure shall constitute unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and shall be grounds, after any required notice and hearing, for the Board to annul, suspend, or revoke his license to practice medicine and surgery and to deny any application he might make in the future or then have pending for a license.

7. This Consent Order shall take effect immediately upon its execution by both Dr. Broadhead and the Board and it shall continue in effect until specifically ordered otherwise by the Board.

8. Dr. Broadhead hereby waives any requirement under law or rule that this Consent Order be served on him.

9. Upon execution by Dr. Broadhead and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be reported to persons, entities, agencies, and clearinghouses as required by and permitted by law including, but not limited to, the Federation of State Medical Boards, the National Practitioner Data Bank, and the Healthcare Integrity and Protection Data Bank.

This the 16th day of September, 2008.

NORTH CAROLINA MEDICAL BOARD

By: Janelle A Rhyme MD, FCP
Janelle A. Rhyme, M.D.
President

Consented to this the 10TH day of SEPTEMBER, 2008.

David Daniel Broadhead M.D.
David Daniel Broadhead, M.D.

State of VA
CITY
County of VA-Beach

I, Mary Bertolino comm. as: Mary Dillon, a Notary Public for the above named County and State, do hereby certify that David Daniel Broadhead, M.D., personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

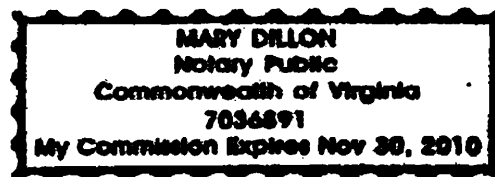
Witness my hand and official seal

this the 10th day of Sept, 2008.

Mary Bertolino comm. as: Mary Dillon
Notary Public

(SEAL)

My Commission expires: 11/30/2010



**NORTH CAROLINA MEDICAL BOARD
VOLUNTARY SURRENDER FORM**

08 NOV 10 PM 2:57

Name: Daniel David Broadhead, MD
Address: PO Box 10040
Virginia Beach, VA 23450-0040
Phone #: (252) 202-0365

License #: 16325
Date of Birth: 10/24/1943

I hereby surrender my license to practice medicine issued by the Board effective upon receipt of this document by the Board or its agent.

I understand that I may not give medical advice or treatment to any person, with or without compensation; may not prescribe drugs; and may not otherwise engage in the practice of medicine within the meaning of N.C. Gen. Stat. §90-18. Once tendered, this decision to surrender my license may not be withdrawn. I understand that the surrender of my license does not preclude the Board from bringing charges against me at a later date.

I understand that I have obligations to patients that continue beyond the surrender of my license including, but not limited to, winding up my practice in an orderly fashion, assisting patients in ensuring continuity of their care, and preserving patient records and access thereto.

I understand that this document is a public document within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it may be reported to persons, entities, agencies, and clearinghouses as required by and permitted by law including, but not limited to, the Federation of State Medical Boards, the National Practitioner's Data Bank, and the Healthcare Integrity and Protection Data Bank.

I understand my right to and I have been given the opportunity to consult with an attorney, at my own expense, before tendering this surrender of my license. I have made the decision to surrender my license to practice medicine knowingly, voluntarily, and of my own free will.

I agree to return my license and registration certificates to the Board as promptly as possible. Any failure on my part to do so does not in any way affect the validity of this surrender of my license.

Date: 11-6-08

Signature: Daniel D Broadhead MD

Witness: [Signature]

Christopher T. Hedrick
Dierkeson & Smith Law Group
115 S. Lynnhaven Rd.
VA Beach VA 23452



**NORTH CAROLINA
MEDICAL BOARD**

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President

George L. Saunders, III, MD
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Secretary

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William A. Walker, MD

PERSONAL AND CONFIDENTIAL

November 12, 2008

Dr. Daniel David Broadhead
Post Office Box 2527
Kitty Hawk, NC 27949-2527

Re: License Surrender

Dear Dr. Broadhead:

This will acknowledge receipt of your Voluntary Surrender Form of November 6, 2008. The surrender of your license to practice medicine (16325) issued by the North Carolina Medical Board becomes a public record according to North Carolina law. You are required to reapply if you wish to reinstate your license.

Should you have questions regarding this matter, please feel free to call.

Sincerely,

R. David Henderson
Executive Director

RDH:jo

R. David Henderson
Executive Director

1203 Front Street
Raleigh, North Carolina 27609-7533

Mailing:
P.O. Box 20007
Raleigh, North Carolina 27619-0007

Telephone: (919) 326-1100
Fax: (919) 326-1131
Email: info@ncmedboard.org
Web: www.ncmedboard.org