



North Carolina Medical Board

Bryant A. Murphy, MD: President | Venkata Jonnalagadda, MD: President-Elect | John W. Rusher, MD: Secretary/Treasurer

December 4, 2019

Via Attorney of Record

Joanna Wolicki-Shannon, M.D.
East Cove Psychiatric Services
1305 N Queen Street
Kinston, NC 28501-2965

Dear Dr. Wolicki-Shannon:

The North Carolina Medical Board (“Board”) has concluded its investigation related to concerns about the prescribing of controlled substances by a nurse practitioner you supervised. It is the Board’s decision not to commence formal proceedings against your license at this time. However, the Board voted to issue you this public letter of concern. The Board does not consider a public letter of concern to be a disciplinary action or a limitation or restriction on your license.

The Board is concerned a nurse practitioner, practicing under your supervision, prescribed controlled substances for about three months even though you possessed no DEA privileges. Board Rule 21 NCAC 32B .1001(b) (a copy of which is attached) states in relevant part, “The DEA registration of the supervising physician must include the same schedule(s) of controlled substances as the supervised health professional’s DEA registration.” In March 2015, you surrendered your DEA registration to prescribe controlled substances. Accordingly, her prescribing of controlled substances violated Board Rule 21 NCAC 32B .1001(b).

The Board urges you to take steps to ensure the conduct giving rise to the Board’s concerns does not happen again. Otherwise, the Board may vote to commence formal disciplinary proceedings against your license. If that happens, this letter may be entered into evidence in determining the appropriate discipline.

This letter is a public record within the meaning of Chapter 132 of the North Carolina General Statutes and is subject to public inspection and dissemination as required by that law. It will be reported to the Federation of State Medical Boards.

Sincerely,

Bryant A. Murphy, M.D.
President

BAM/MJ/wl

Attachment

Consent and Waiver

I, Joanna Wolicki-Shannon, M.D., would like to resolve this matter without the need for more formal proceedings and consent to the Board's issuance of this public letter of concern in resolution of the above matter. I hereby waive any requirement under any law or rule that this public letter of concern be served on me.

Consented to this the 2 day of Dec, 2019.

Joanna Wolicki-Shannon M.D.
Joanna Wolicki-Shannon, M.D.

State of NC

County of Lenoir

I, Ayelen A. Paez, do hereby certify that Joanna Wolicki-Shannon, 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 2nd day of December, 2019.

Ayelen A. Paez
Notary Public

My Commission Expires: 08/13/2022



SECTION .1000 - PRESCRIBING

21 NCAC 32B .1001 AUTHORITY TO PRESCRIBE

(a) A license to practice medicine issued under this Subchapter allows the physician to prescribe medications, including controlled substances, so long as the physician complies with all state and federal laws and regulations governing the writing and issuance of prescriptions.

(b) A physician must possess a valid United States Drug Enforcement Administration ("DEA") registration in order for the physician to supervise any other health professional (physician assistant, nurse practitioner, clinical pharmacist practitioner) with prescriptive authority for controlled substances. The DEA registration of the supervising physician must include the same schedule(s) of controlled substances as the supervised health professional's DEA registration.

(c) A physician shall not prescribe controlled substances, as defined by the state and federal controlled substance acts for:

- (1) the physician's own use;
- (2) the use of the physician's immediate family;
- (3) the use of any other person living in the same residence as the licensee; or
- (4) the use of any person with whom the physician is having a sexual relationship.

As used in this Paragraph, "immediate family" means a spouse, parent, child, sibling, parent-in-law, son-in-law or daughter-in-law, brother-in-law or sister-in-law, step-parent, step-child, step-sibling.

*History Note: Authority G.S. 90-2(a); 90-5.1;
Eff. June 1, 2007;
Amended Eff. August 1, 2012;
Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016.*