



**NORTH CAROLINA
MEDICAL BOARD**

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Secretary/Treasurer

February 16, 2016

Via Certified Mail, Return Receipt Requested

Irving Amilcar Lugo-Santiago, M.D.
Cone Behavioral Health Hospital
700 Walter Reed Drive
Greensboro, NC 27401

Dear Dr. Lugo-Santiago:

The North Carolina Medical Board ("Board") has concluded its investigation regarding the complaint filed against you by a former patient and employee. As a result, it is the Board's decision not to commence formal proceedings against your license to practice medicine at this time. However, the Board did vote 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.

In May 2014, the Board received a complaint from Patient A, who you had been treating since 2007. Your treatment of Patient A included prescribing controlled substances and awareness that Patient A had been treated in the past for alcohol abuse and dependence. In 2011, you hired Patient A to work in your office and Patient A remained your patient. During the time Patient A was your employee and patient, you and other family members also developed a social relationship with Patient A. This social relationship included vacationing with your family, recreational activities with Patient A and other co-workers and, on at least one occasion, inviting Patient A to your home for dinner with your family and offering Patient A alcohol.

The Board generally considers your relationship with Patient A to be one where proper boundaries were not consistently maintained by you as Patient A's physician. Specifically, you violated Rule 21 NCAC 32B.1001(c), which prohibits prescribing controlled substances to those with whom you have a close personal relationship with. This rule can be viewed at: http://www.ncmedboard.org/professional_resources/rules.

The Board cautions you that, except for minor illnesses and emergencies, physicians should not treat or prescribe to those with whom they have a close personal relationship. The Board's guidance on this issue can be found in its Position Statement titled: *Self-Treatment and Treatment of Family Members and Others with Whom Significant Emotional Relationship Exist*. The Board invites you to review all of its Position Statements located on its website at <http://www.ncmedboard.org>.

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In connection with this complaint, you were assessed by the North Carolina Physicians Health Program ("NCPHP") On October 29, 2014. After this initial assessment, you continued to work with NCPHP to gain a better perspective on maintaining proper boundaries and signed a monitoring contract with NCPHP in June 2015. The Board urges you to take steps to ensure that the conduct giving rise to the Board's concerns does not happen again and encourages you to maintain strict compliance with your contract with NCPHP and follow all of its recommendations. The Board notes you have signed the attached Consent and Waiver agreeing to comply with you NCPHP contract in all respects.

If this behavior is repeated, the Board may vote to commence formal disciplinary proceedings against your license to practice medicine. 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; however, it will not be reported to the National Practitioner Data Bank.

Sincerely,



Pascal O. Udekwu, M.D.
Board President

POU/PFB/bjs

Consent and Waiver

I, Irving Amilcar Lugo-Santiago, 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 matter referenced above. Furthermore, I agree that I will comply in all respects with my contract with the North Carolina Physicians Health Program.

Consented to this the 09 day of December, 2015.

Irving Amilcar Lugo-Santiago M.D.
Irving Amilcar Lugo-Santiago, M.D.

State of NORTH CAROLINA

County of GUILFORD

I, ERIC S KAPLAN, a Notary Public for the above named County and State, do hereby certify that Irving Amilcar Lugo-Santiago, 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 9th day of DECEMBER, 2015.

Eric S Kaplan
Notary Public

(SEAL) ERIC S KAPLAN
NOTARY PUBLIC
Gulford County
North Carolina
My Commission Expires July 26, 2019

My Commission expires: 7/26/19