



COMMONWEALTH of VIRGINIA

Department of Health Professions
Board of Medicine

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August 14, 1998

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RE: License No.: 0101-014152

Dear Dr. Heath:

This letter is official notification that an informal conference of the Virginia Board of Medicine ("Board") will be held on Wednesday, September 16, 1998, at 1:30 p.m., at the Sheraton Inn, 2801 Plank Road, Fredericksburg, Virginia. The conference will be conducted pursuant to Sections 54.1-2919 and 9-6.14:11 of the Code of Virginia (1950), as amended ("Code").

An Informal Conference Committee ("Committee"), composed of three members of the Board, will inquire into allegations that you may have violated certain laws governing the practice of medicine in Virginia. Specifically, you may have violated Section 54.1-2915.A(4) and (3), as further defined in Section 54.1-2914.A(3), (9), (10), (13) and (14), and Section 54.1-3303.A of the Code, and Section 54.1-3408.A of the Drug Control Act, in that:

1. From about April 26, 1994, through October 4, 1996, you provided treatment to Patient A for recurrent major depression and post traumatic stress syndrome. A review of pharmacy records and the medical records presented demonstrated the following:

a) You failed to adequately document a comprehensive history; symptoms of Patient A's complaints and present illness; results of a clinical examination; working diagnosis based on examination and history; and treatment plan.

b) You indiscriminately and excessively prescribed various controlled substances of abuse potential to Patient A, a person you knew, or should have known was receiving concurrent prescriptions from a least one other physician for controlled substances to include, Percocet (oxycodone and acetaminophen, Schedule II); Fiorinal (butalbital, Schedule VI); and Vicodin (hydrocodone bitartrate, Schedule III). Specifically, from about January 10, 1996 through October 4, 1996, you prescribed the following medications, to include approximately:

i) 1,500 dosage units of Valium 10mg (diazepam, Schedule IV);

- ii) 1,110 dosage units of Xanax (lorazepam, Schedule IV); and
 - iii) 230 dosage units of Dalmane (flurzaepam hydrochloride, Schedule IV).
- c) Regarding the controlled substances you prescribed: On more than one occasion, you failed to adequately document in the patient's medical record one or more of the following: the strength, dosage, quantity, number of refills authorized; and the reason for the prescription.
2. From about September 16, 1996, through October 11, 1996, you provided treatment to Patient B. A review of pharmacy records and the medical records presented demonstrated the following:
- a) You failed to adequately document a comprehensive history; symptoms of Patient B's complaints and present illness; results of a clinical examination; working diagnosis based on examination and history; and treatment plan.
 - b) You indiscriminately and excessively prescribed Xanax (alprazolam, Schedule IV), a controlled substance of abuse potential, to Patient B, a person you knew, or should have known was receiving concurrent prescriptions from a least one other physician for hydrocodone bitartrate and acetaminophen (Schedule III). Specifically, from about September 23, 1996, through October 11, 1996, you prescribed approximately 270 dosage units of Xanax to Patient B; however, you failed to document in the patient's medical record the reason for the prescription.
 - c) You failed to respond to Patient B's and her sister's repeated attempts to contact you.
3. From about July 1, 1996, through October 18, 1996, you provided treatment to Patient C for panic disorder. A review of pharmacy records and the medical records presented demonstrated the following:
- a) You failed to adequately document a comprehensive history; symptoms of Patient C's complaints and present illness; results of a clinical examination; working diagnosis based on examination and history; and treatment plan. Also, on more than one occasion, you failed to adequately document in the patient medical record one or more of the following: a prescription's strength, dosage, quantity, number of refills; and the reason for the prescription.
 - b) You indiscriminately prescribed various controlled substances of abuse potential to Patient C, a person you knew, or should have known, was drug dependent, and had expressed suicidal ideation. Specifically:
 - i) From about July 17, 1996, through August 22, 1996, you prescribed approximately 260 dosage units of lorazepam (Schedule IV); and 2 dosage units of temazepam (Schedule IV).
 - ii) On or about July 17, August 5, and August 7, 1996, you prescribed lorazepam for Patient C; however, you failed to document these prescriptions in the patient's medical record.

