



COMMONWEALTH of VIRGINIA

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Alta Lois Brubaker, M.D.
3715 Hidden Meadow Lane
Keezletown, Virginia 22832

CERTIFIED MAIL
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RE: License No.: 0101-045362

Dear Dr. Brubaker:

This letter is official notification that an informal conference of the Virginia Board of Medicine ("Board") will be held on **Tuesday, April 26, 2005, at 9:15 a.m., at the Clarion Hotel, 3315 Ordway Drive, Roanoke, Virginia.** The conference will be conducted pursuant to Sections 54.1-2400(10), 2.2-4019 and 2.2-4021 of the Code of Virginia (1950), as amended ("Code").

A Special Conference Committee ("Committee") will inquire into allegations that you may have violated certain laws governing the practice of medicine in Virginia. Specifically:

1. You may have violated Section 54.1-2915 (1), (4), and (3), as further defined in Sections 54.1-2914.A (8) and (11) of the Code, in that during the course of your therapeutic relationship with Patients A and B, between the dates of March, 2001, and January, 2002, you mismanaged several aspects of their care and created a danger to their health and welfare. Specifically,

a. You failed to perform an appropriate initial evaluation, to include taking an adequate medical history, prior to initiating treatment with Patients A and B;

b. You failed to maintain appropriate medical records documenting your treatment of Patient A, between the dates of July 12, 2001, and November 15, 2001, and Patient B, between the dates of May 28, 2001, and December 17, 2001, in that you failed to create and document plans and courses of treatment, and failed to

document your diagnoses, progress notes, consultations with outside persons involved in their care, evaluations, diagnostic reports, continuing care plans and recommendations for care, correspondence, drug screen reports, and discharge summaries relating to your care and treatment of Patients A and B;

c. You prescribed Topomax and Depakote (both Schedule VI controlled substances) to Patient A, but failed to properly monitor and manage his use of said medications. Further, you failed to address the severe weight loss that Patient A experienced while taking these medications;

d. You failed to maintain copies of, or properly document, prescriptions that you prescribed to Patient A.

2. You may have violated Section 54.1-2915 (3), as further defined in Section 54.1-2914.A (12), 54.1-3303.A and 54.1-3408.A of the Code, in that from December 23, 2000, to October 11, 2002, you prescribed the following Schedule VI controlled substances for your own personal and unauthorized use:

- 186 dosage units of Cyclobenzaprine;
- 450 dosage units of Prevacid;
- 270 dosage units of Synthroid;
- 2,160 dosage units of Topamax, 25mg;
- 1,800 dosage units of Topamax, 100mg;
- 540 dosage units of Celexa;
- 20 dosage units of Veetids; and
- 360 dosage units of Claritin.

3. You may have violated Section 54.1-2915 (3), as further defined in Sections 54.1-2914.A (8) and (11) of the Code, in that, during the course of Patient A's and Patient B's treatment with you, you violated their patient confidentiality by discussing their treatment, medications, and progress issues with other patients.

4. You may have violated Section 54.1-2915 (3), as further defined in Sections 54.1-2914.A (8) and (11) of the Code, in that, during the course of Patient A's treatment with you, you discussed your own medical condition and medications that you used, as a way to reassure Patient A's parents about your choice of medication to treat Patient A's symptoms.

Please see Attachment I for the name of the patients referenced above.

