

BEFORE THE VIRGINIA BOARD OF MEDICINE

IN RE: VALERIE JOSEPHINE BUYSE, M.D.
License Number: 0101-037982
Case Number: 194473

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Medicine ("Board") and Valerie Josephine Buyse, M.D., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Dr. Buyse's license to practice medicine and surgery in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Valerie Josephine Buyse, M.D., was issued License Number 0101-037982 to practice medicine and surgery on April 18, 1985, which is scheduled to expire on August 31, 2020.
2. Dr. Buyse violated Virginia Code § 54.1-2915(A)(3) and (12) and 18 VAC 85-20-26(A) (which incorporates by reference Virginia Code § 32.1-127:30) and 18 VAC 85-20-27(A) of the Regulations Governing the Practice of Medicine, Osteopathy, Podiatry and Chiropractic in that, in or about February 2019, she violated professional boundaries and disclosed privileged health information regarding Patient A, whom she treated in her office-based, psychiatric practice from approximately February 2017 to September 2018. Specifically:
 - a. In or about November 2018, Patient A posted a negative online review, which identified her by name, criticizing the psychiatric care and treatment Dr. Buyse provided to her during their approximate one-and-one-half year practitioner-patient relationship.
 - b. On discovering this review in or about February 2019, Dr. Buyse, in order to defend her care and treatment, posted an online response to Patient A's critique, in which she discussed

the patient's medically-privileged information, including, *inter alia*, a specific reference to information contained in the patient's intake form, and to the patient's diagnoses, prescribed medication, and participation in psychotherapy.

3. Subsequently, after unsuccessfully attempting to contact Patient A via phone, Dr. Buyse began texting the patient to discuss the online commentary. From approximately February 20 – March 13, 2019, Dr. Buyse and Patient A exchanged text messages regarding the online posts and the patient's prior treatment. In these text message exchanges, Dr. Buyse informed Patient A that the patient's online post caused Dr. Buyse "great emotional distress," and her reputation and practice to suffer "great harm," and informed the patient that she would be "seeking further legal help" to defend herself from "defamation."

4. Dr. Buyse stated that when she initially posted her comments in response to Patient A's online review, she did not appreciate that she was revealing confidential information.

CONSENT

Valerie Josephine Buyse, M.D., by affixing her signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document and am represented by Paige Levy Smith, Esq.;
2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; and the right to representation by counsel;
4. I waive my right to an informal conference;

5. I admit to the Findings of Fact and Conclusions of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;


6. I consent to the entry of the following Order affecting my license to practice medicine and surgery in the Commonwealth of Virginia.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Medicine hereby ORDERS that Valerie Josephine Buysa, M.D., is REPRIMANDED.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD


Jennifer Deachenos, J.D., M.S.
Deputy Executive Director
Virginia Board of Medicine

ENTERED:

2/11/20

SEEN AND AGREED TO:

Valerie Josephine Buysa, M.D.
Valerie Josephine Buysa, M.D.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Fairfax

. TO WIT:

Subscribed and sworn to before me, a notary public in and for the Commonwealth of Virginia at large,
on this 17th day of January, 2020.

Tracey Lynn Kearns
Notary Public

My commission expires:

10/31/2020

Registration No.:

161418

TRACEY LYNN KEARNS
NOTARY PUBLIC
REGISTRATION # 161418
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
OCTOBER 31, 2020