



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

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October 5, 2020

Courtney Rochelle Carter Spagnolo, D.O.
19 Hunter Trace
Hampton, VA 23669

UPS OVERNIGHT MAIL

RE: Case Number 195479

Dear Courtney Rochelle Carter Spagnolo:

Attached is a Notice of Informal Conference and Statement of Allegations.

Information regarding the following may be found at
www.dhp.virginia.gov/medicine/medicine_Hearings.htm:


- Frequently Asked Questions about Disciplinary Proceedings;
- Directions to the Department of Health Professions Conference Center;
- Instructions for Requesting Subpoenas;
- The Board's Sanctioning Reference Points;
- The text of the Administrative Process Act;
- The text of all statutes and regulations cited herein.

The Board hereby offers to enter into the enclosed Consent Order with you in lieu of an informal conference in this matter. Please review this document, and should you consent to its terms, sign it in the presence of a notary public. In order for this Consent Order to become effective, you must return the entire document bearing your notarized signature to the Board office at the address above on or before **November 9, 2020**. Upon its receipt in the Board office, the Consent Order will be entered and the informal conference will be cancelled. Once the Consent Order is entered by the Board, you will receive a certified copy of the Consent Order, bearing the date of entry. Should the Board not receive this signed Consent Order from you by 5:00 p.m. on November 9, 2020 the Board will proceed with the informal conference as scheduled.

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If you have any questions, you may contact Anne Joseph, Adjudication Specialist at (804) 367-4474 or anne.joseph@dhp.virginia.gov. Please notify the Board office of your intent to attend this proceeding.

Sincerely,


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

cc: Anne Joseph, Adjudication Specialist, Administrative Proceedings Division
Lorraine McGehee, Deputy Director, Administrative Proceedings Division
Christopher Moore, Senior Investigator, Division of Enforcement

BEFORE THE VIRGINIA BOARD OF MEDICINE

IN RE: COURTNEY ROCHELLE CARTER SPAGNOLO, D.O.

License Number: 0102-205390
Issue Date: August 3, 2018
Expiration Date: March 31, 2022
Case Number: 195479

**NOTICE OF INFORMAL CONFERENCE
AND STATEMENT OF ALLEGATIONS**

You are hereby notified that an Informal Conference has been scheduled before the Board of Medicine ("Board") regarding your license to practice osteopathy and surgery in the Commonwealth of Virginia.

TYPE OF PROCEEDING:	This is an informal conference before a Special Conference Committee ("Committee") of the Board.
DATE AND TIME:	December 10, 2020 9:00 AM
PLACE:	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 nd Floor - Virginia Conference Center Henrico, Virginia 23233

LEGAL AUTHORITY AND JURISDICTION:

1. This informal conference is being held pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.

2. At the conclusion of the proceeding, the Committee is authorized to take any of the following actions:

- Dismiss the case and exonerate you;
- Reprimand you;
- Require you to pay a monetary penalty;
- Place you on probation and/or under terms and conditions;
- Refer the matter to the Board of Medicine for a formal administrative hearing.

ABSENCE OF RESPONDENT AND RESPONDENT'S COUNSEL:

If you and/or your legal counsel do not appear at the informal conference, the Committee may proceed to hear this matter in your absence and may take any of the actions outlined above.

RESPONDENT'S LEGAL RIGHTS:

You have the following rights:

- The right to the information on which the Committee will rely in making its decision;
- The right to be represented by counsel at this proceeding;
- The right to subpoena witnesses and/or documents;
- The right to present relevant evidence on your behalf.

INFORMAL CONFERENCE MATERIALS:

- The informal conference materials (documents) serve as the basis for the allegations against you. The Committee will consider these materials at the informal conference.
- **These materials have been sent to you via UPS OVERNIGHT MAIL.**
- **Bring this Notice and the documents with you to the informal conference.**

FILING DEADLINES:

- The deadline for filing any materials you wish to have considered at the informal conference is **November 9, 2020. Please submit eight copies. Your documents may not be submitted by facsimile or email.**
- Submit all correspondence to **Jennie F. Wood, Discipline Case Manager, at the Board of Medicine, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233.**
- Include the case number in all correspondence.

REQUEST FOR A CONTINUANCE

- Deadline for requesting a continuance: **November 9, 2020.**
- Must be made in writing to **Jennie F. Wood, Discipline Case Manager, at the Board of Medicine, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233; or jennie.wood@dhp.virginia.gov.**
- Will be granted only for good cause shown

STATEMENT OF ALLEGATIONS

The Board alleges that:

1. At all times relevant hereto, Courtney Rochelle Carter Spagnolo, D.O. (“Respondent”), was licensed to practice osteopathy and surgery in the Commonwealth of Virginia.

2. Dr. Carter Spagnolo violated Virginia Code § 54.1-2915(A)(3), (13), and (16) in that while employed as a locum tenens at a Virginia state psychiatric hospital, she engaged in behaviors that caused or were likely to cause harm to patients, as follows:

a. During a treatment team meeting on or about February 26, 2019 with Patient A, a 51-year-old cognitively limited male diagnosed with schizophrenia, she made the following harsh and belittling statements to the patient, which caused the patient to become upset and sad:

- i. That he was very sick and that he could be confined for 20 or more years;
- ii. That he was too sick to have family members visit him;
- iii. That listening to music would not be a helpful coping technique and that,

rather, he needed to take his medications and pray;

iv. After Patient A reported crying after dreaming that his mother had died, that he cried all the time;

- v. That his joking and laughter were inappropriate.

b. During a treatment team meeting on or about February 26, 2019, with Patient B, a 34-year-old male diagnosed with bipolar disorder and/or major depressive disorder, she made the following harsh statements to the patient, which caused the patient to become tearful:

- i. That his diagnosis would make him different than the rest of the world;
- ii. That his diagnosis would follow him and people would know about it;

iii. That his quality of life would be negatively impacted for the rest of his life;

iv. That his prognosis was poor.

c. During a treatment team meeting on or about January 31, 2019 with Patient C, a 55-year-old female who had been admitted following a psychotic episode, Dr. Carter Spagnolo repeatedly shook a sand timer and interrupted the patient mid-sentence to tell the patient that she was running out of time.

d. During two separate treatment team meetings with Patient D, an 18-year-old female diagnosed with major depressive disorder, Dr. Carter Spagnolo lectured the patient about the dangers of inappropriate boundaries with therapists, suggested that the patient was having an inappropriate relationship with her therapist, which caused the patient to become upset and tearful, declared that counseling was not a valid form of therapy, and stated that going to a counselor repeatedly without progress was “the definition of insanity.”

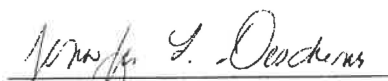
e. During a treatment team meeting on or about February 5, 2019 with Patient E, a 57-year-old male who had been admitted due to unspecified psychosis not due to a substance or known physiological condition, when the patient was unable to give sufficient details regarding his psychosis and paranoid thoughts, Dr. Carter Spagnolo stated that she would be more inclined to give him a “harsher” or more serious diagnosis, such as schizophrenia, if she continued to hear that he was psychotic or paranoid. At subsequent treatment team meetings, Patient E was quick to deny any psychosis.

f. During a treatment team meeting on or about March 14, 2019 with Patient F, a 27-year-old male diagnosed with bipolar personality disorder who had been admitted subsequent to threatening suicide after his wife left him, Dr. Carter Spagnolo repeatedly accused the patient of being a

“stalker” in an aggressive and angry manner. This caused the patient to become so upset that security was called to escort him from the room. Following the incident, another physician noted in the patient’s record, “staff should avoid calling him a stalker.”

3. Dr. Carter Spagnolo violated Virginia Code § 54.1-2915(A)(18) and 18 VAC 85-20-29(A)(2) of the Regulations Governing the Practice of Medicine, Osteopathy, Podiatry and Chiropractic in that she engaged in an egregious pattern of disruptive behavior in the health care setting. Specifically, she repeatedly berated her colleagues at the state psychiatric hospital when they questioned the appropriateness of her using a sand timer and telling patients that they were out of time in treatment team meetings, discounting the value of therapy, and making demeaning statements to patients.

See Confidential Attachment for the names of the patients referenced above.



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

10/5/2020

Date