



COMMONWEALTH of VIRGINIA

Department of Health Professions
Board of Medicine

John W. Hasty
Director of the Department

William L. Harp, M.D.
Executive Director of the Board

March 27, 2002

6606 West Broad Street
4th Floor
Richmond, Virginia 23230-1717
(804) 662-9908
FAX (804) 662-9517

Eleanora M. Woloy, M.D.
833 De LaFayette Court
Virginia Beach, VA 23455

CERTIFIED MAIL
7106 4575 1294 3556 2101

RE: License No.:0101-019580

Dear Dr. Woloy:

This letter is official notification that an informal conference of the Virginia Board of Medicine ("Board") will be held on **Wednesday, May 22, 2002, at 9:00 a.m., at Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia.** The conference will be conducted pursuant to Sections 54.1-2919, 2.2-4019 and 2.2-4021 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(1) and (3), as further defined in Sections 54.1-2914.A(7), (8), (11), (12) and (14) [*formerly 54.1-2914.A(9), (10), (13), (14) and (16)*], 54.1-3303.A of the Code, and Section 18 VAC 85-20-100 (A), (B), (C) of the Regulations Relating to Medicine and Other Healing Arts, in that:

1. From January 1992 to March 1995, you treated Patient A for chronic depression and related issues. You failed to properly manage the professional boundaries of the physician/patient relationship. Specifically, beginning in December 1994, you engaged in inappropriate physical contact that could be interpreted as intended for your sexual arousal or gratification when, at the end of a therapy session, you hugged and kissed Patient A. In March 1995 you ceased treatment of Patient A and directly following termination, you engaged in a sexual relationship with her. At the time of the termination, you stated in your notes that Patient A did not need additional therapy.
2. Between March 1995 and April 1999, you prescribed and/or dispensed Schedule VI controlled substances (Ritalin, Wellbutrin, and Celexa) to Patient A on twenty-one (21) occasions. Said prescribing was outside of a bona-fide physician/patient relationship.
3. From October 1995 through January 2001, Patient A sought treatment from another counselor. The counselor concluded that your relationship with Patient A created new issues and reactivated old issues, both requiring extensive counseling.

The following actions may be taken by this Committee:

1. If a majority of the Committee is of the opinion that a suspension or revocation of your license may be justified, the Committee shall present to the Board in writing its findings, and the Board may proceed with a formal hearing.
2. The Committee may notify you in writing that you are fully exonerated of any charge that might affect your right to practice psychiatry in Virginia.
3. The Committee may reprimand or censure you.
4. The Committee may impose a monetary penalty pursuant to Section 54.1-2401 of the Code.
5. The Committee may place you on probation for such time as it may designate and direct that during such period you furnish the Committee or its chairman, at such intervals as the Committee may direct, evidence that you are not practicing in violation of the provisions of Chapter 29, Title 54.1 of the Code, which governs the practice of psychiatry in Virginia.

You have the right to information which will be relied upon by the Committee in making a decision. Therefore, I enclose a copy of the documents which will be distributed to the members of the Committee, and will be considered by the Committee when discussing the allegations with you and when deliberating upon your case. Since you have been noticed of an alleged violation of Section 54.1-2914.A(9) of the Code, enclosed in these documents are the American Psychiatric Association's Principles of Medical Ethics, with annotations especially applicable to Psychiatry Section 1 Annotation 1, Section 2 Annotation 1, and Section 6, Annotation 1. These documents are enclosed only with the original notice sent by certified mail, and must be claimed at the post office. I also enclose relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of psychiatry and other healing arts in Virginia.

Absent good cause shown to support a request for a continuance, the informal conference will be held on May 22, 2002. A request to continue this proceeding must state **in detail** the reason for the request and must establish good cause. Such request must be made in writing to me at the address listed on this letter and must be received by 5:00 p.m. on **May 8, 2002**. Only one such motion will be considered. Absent exigent circumstances, such as personal or family illness, a request for a continuance after **May 8, 2002**, will not be considered.

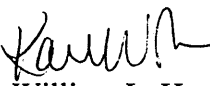
You may be represented by an attorney at the informal conference. If you obtain counsel, you should do so as soon as possible, as a motion for a continuance due to the unavailability of counsel will not be considered unless received by **May 8, 2002**. Further, it is your responsibility to provide the enclosed materials to your attorney.

To facilitate this proceeding, you must submit eight (8) copies of any documents you wish for the Committee to consider to Renee Dixson, Case Manager, Board of Medicine, Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, Virginia 23230-1717, by **May 8, 2002**. Should you or Senior Adjudication Analyst Mykl Egan wish to submit any documents for the Committee's consideration after **May 8, 2002**, such documents shall be considered only upon a ruling by the Chair of the informal conference committee that good cause has been shown for late submission.

Please advise the Board, in writing, of your intention to be present. Should you fail to appear at the informal conference, the Board may proceed to a formal administrative hearing in order to impose sanctions.

Should you have any questions regarding this notice, please contact Mykl Egan, Senior Adjudication Analyst, at (804) 662-7592.

Sincerely,


William L. Harp, M.D.
Executive Director
Virginia Board of Medicine

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cc: Harry C. Beaver, M.D., President, Virginia Board of Medicine
Robert A. Nebiker, Director, Department of Health Professions
James L. Banning, Director, Administrative Proceedings Division
Mykl Egan, Senior Adjudication Analyst
Renee Dixon, Discipline Case Manager, Board of Medicine
Doris J. Berrier, Senior Investigator (78860)
Patricia Hanchey, Senior Administrative Assistant, Board of Medicine

Enclosures:

Virginia Code Sections:
54.1-2914
54.1-2915
54.1-2919
54.1-3303
2.2-4019
2.2-4021
Board of Medicine Regulations
18 VAC 85-20-100
Informal Conference Package
Map

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: ELEANORA M. WOLOY, M.D.
License No.: 0101-019580

ORDER

In accordance with Sections 54.1-2919, 2.2-4019 and 2.2-4021 of the Code of Virginia (1950), as amended ("Code"), an informal conference was held with Eleanora Woloy M.D., on May 22, 2002, in Williamsburg Virginia. Members of the Virginia Board of Medicine ("Board") serving on the Informal Conference Committee ("Committee") were: Clark Russ, M.D. Chairman; Mr. J. Kirkwood Allen and Harry Beaver, M.D. Dr. Woloy was represented by John Franklin, Esq., and Douglas Penner, Esq. The purpose of the informal conference was to inquire into allegations that Dr. Woloy may have violated certain laws governing the practice of medicine in the Commonwealth of Virginia, as set forth in a Notice of Informal Conference dated March 27, 2002.

FINDINGS OF FACT

Now, having properly considered the evidence and statements presented, the Committee makes the following Findings of Fact:

1. From January 1992 to March 1995, Dr. Woloy treated Patient A for chronic depression and related issues. She failed to properly manage the professional boundaries of the physician/patient relationship. Specifically, in December 1994, she engaged in inappropriate physical contact at the end of a therapy session when she hugged and kissed Patient A. Further, recognizing her attraction to Patient A, and seeing no other option, she terminated treatment with Patient A in March 1995. Dr. Woloy's termination notes did not address her plan with Patient A to enter a personal relationship, but rather stated Patient A no longer needed therapy for chronic depression. Directly following termination, she engaged in a sexual relationship with Patient A. She indicated to the Committee that the relationship was intimate for the last time in July 1998.

2. Between November 1995 and April 1999, Dr. Woloy prescribed and/or dispensed Schedule II and Schedule VI controlled substances (Ritalin, Wellbutrin, and Celexa) to Patient A on twenty-one (21) occasions. Said prescribing was outside of a bona-fide physician/patient relationship. She stated to the Committee that she kept no record of Patient A's prescriptions during this period.

3. From October 1995 through January 2001, Patient A sought treatment from another counselor, who concluded that Dr. Woloy's relationship with Patient A created new issues and reactivated old ones, both requiring extensive counseling.

4. Dr. Woloy represented to the Committee that she has been proactive in addressing her issues in the treatment of Patient A by engaging in individual therapy, participating in Alanon, participating in a peer analytical study group, and attending a continuing education course at Vanderbilt University entitled "Maintaining Proper Boundaries."

5. Dr. Woloy expressed appropriate remorse and was open and cooperative with the Committee.

6. Dr. Woloy indicated she would continue in current treatment and related activities for the indefinite future.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Committee concludes that Dr. Woloy has violated Section 54.1-2915.A(1) and (3), as further defined in Sections 54.1-2914.A(7), (11), and (14) [*formerly 54.1-2914.A(9), (13), and (16)*], Section 54.1-3303.A of the Code, and Section 18 VAC 85-20-100 (A), (B), (C) of the Regulations Relating to Medicine and Other Healing.

ORDER

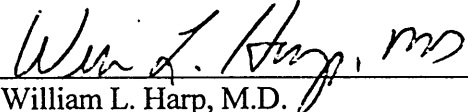
WHEREFORE, it is hereby ORDERED that Eleanora Woloy M.D. be, and hereby is, REPRIMANDED.

Pursuant to Section 2.2-4023 of the Code, 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.

Pursuant to Section 54.1-2919 of the Code, Dr. Woloy may, not later than 5:00 p.m., on July 3, 2002, notify William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, Richmond, Virginia 23230, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

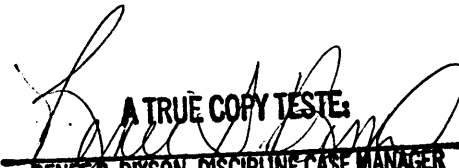
Therefore, this Order shall become final on July 3, 2002, unless a request for a formal administrative hearing is received as described above.

FOR THE BOARD



William L. Harp, M.D.
Executive Director
Virginia Board of Medicine

Entered: 5/29/02



A TRUE COPY TESTE:
RENEE S. DIXSON, DISCIPLINE CASE MANAGER
VIRGINIA BOARD OF MEDICINE