



# COMMONWEALTH of VIRGINIA

*Department of Health Professions*

Perimeter Center  
9960 Mayland Drive, Suite 300  
Richmond, Virginia 23233-1463

www.dhp.virginia.gov  
TEL (804) 367- 4400  
FAX (804) 527- 4475

Sandra Whitley Ryals  
Director

January 28, 2008

John Lawrence Bulette, MD.  
10150 Rogers Drive  
P.O. Box 733  
Nassawadox, Virginia 23413

BY UPS  
1Z 236 087 22 1008 9262

RE: License No.: 0101-051010

Dear Dr. Bulette:

This letter is official notification that an informal conference of the Virginia Board of Medicine ("Board") will be held on **Friday, March 28, 2008, at 9:00 a.m., at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2<sup>nd</sup> Floor, Richmond, 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 and regulations governing the practice of medicine in Virginia. Specifically:

1. You may have violated Sections 54.1-2915.A(3), (13) and (16) of the Code, in that, from on or about March 25, 2005 until on or about October 26, 2005, you prescribed Adderall XR (amphetamine salts, Schedule II) to Patient A, despite the fact that the drug was contraindicated for this patient due to his mental state and history of abusing drugs, including amphetamine.

2. You may have violated Sections 54.1-2915.A(12) and (18) of the Code and 18 VAC 85-20-26(C) and (D) of the Board's General Regulations, in that, you failed to maintain your outpatient treatment records for Patient A, who you treated in 2005, for a minimum period of time following the last patient encounter, and were therefore unable to produce the records for a Department of Health Professions' investigation in 2007.

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

After consideration of all information, the Committee may:

1. Exonerate you;
2. Place you on probation with such terms it deems appropriate;
3. Reprimand you; and
4. Impose a monetary penalty pursuant to Section 54.1-2401 of the Code.

Further, the Committee may refer this matter for a formal administrative proceeding when it has failed to dispose of a case by consent pursuant to Section 2.2-4019 of the Code.

You have the right to information that will be relied upon by the Committee in making a decision. Therefore, I enclose a copy of the documents that will be distributed to the Committee for its consideration when discussing the allegations with you and when deliberating upon your case. These documents are enclosed only with the original notice sent by UPS Overnight mail. Further, if you retain counsel, 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 Reneé S. Dixon, Discipline Case Manager, Virginia Board of Medicine, 9960 Mayland Drive, Suite 300, Richmond, Virginia, 23233, by **March 5, 2008**. Your documents may not be submitted by facsimile or e-mail. Should you or Adjudication Specialist Virginia Scher wish to submit any documents for the Committee's consideration after **March 5, 2008**, such documents shall be considered only upon a ruling by the Chair of the Committee that good cause has been shown for late submission.

You may be represented by an attorney at the informal conference. If you obtain counsel, you should do so as soon as possible, because absent good cause to support a request for a continuance, the informal conference will be held on March 28, 2008. 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 **February 11, 2008**. Only one such motion will be considered. Absent exigent circumstances, such as personal or family illness, a request for a continuance after **February 11, 2008**, will not be considered.

Relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of medicine and other healing arts in Virginia cited in this notice can be found on the Internet at <http://leg1.state.va.us>. To access this information, please click on the *Code of Virginia* for statutes and *Virginia Administrative Code* for regulations.

In its deliberations, the Committee may utilize the Sanction Reference Points System, as contained in the Sanction Reference Manual. The manual, which is a guidance document

Notice of Informal Conference - John Lawrence Bulette, M.D.  
January 28, 2008  
Page 3

of the Board, may be accessed at <http://www.dhp.virginia.gov/medicine>. You may request a paper copy from the Board office by calling (804) 367-4513.

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.

If you have any questions regarding this notice, please contact Virginia Scher, Adjudication Specialist, at (804) 367-4669.

Sincerely,



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

WLH:fd0128N1.ifcnot.bulette.08  
Vas/Bulette65NIC.DOC

Enclosures:

Attachment I  
Informal Conference Package  
Map

cc: Stephen E. Heretick, J.D., President, Virginia Board of Medicine  
Sandra Whitley Ryals, Director, Department of Health Professions  
Reneé S. Dixon, Discipline Case Manager, Board of Medicine  
Virginia Scher, Adjudication Specialist, APD  
Lorraine McGehee, Deputy Director, APD  
Patricia Harte-Byers, Senior Investigator [106865]

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: JOHN LAWRENCE BULETTE, M.D.  
License No.: 0101-051010

ORDER

In accordance with Sections 54.1-2400(10), 2.2-4019 and 2.2-4021 of the Code of Virginia (1950), as amended ("Code"), an informal conference was held with John Lawrence Bulette, M.D., on March 28, 2008, in Richmond, Virginia. Members of the Virginia Board of Medicine ("Board") serving on the Special Conference Committee ("Committee") were: Malcolm L. Cothran, Jr., M.D., Chairman; Juan M. Montero, II, M.D.; and Ann T. Burks, J.D. Dr. Bulette appeared and was represented by legal counsel, Douglas E. Penner, Esquire. Virginia Scher, Adjudication Specialist, was present as a representative for the Administrative Proceedings Division of the Department of Health Professions.

The purpose of the informal conference was to inquire into allegations that Dr. Bulette may have violated certain laws and regulations governing the practice of medicine in the Commonwealth of Virginia, as set forth in a Notice of Informal Conference dated January 28, 2008.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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

1. John Lawrence Bulette, M.D., was issued license number 0101-051010 to practice medicine in Virginia on July 1, 1994. Said license is currently active and will expire on November 30, 2008, unless renewed or acted upon.

2. From on or about March 22, 2005 until November 28, 2005, Dr. Bulette provided inpatient and outpatient care to Patient A, who had a long history of psychotic disorder, substance abuse and incarcerations.

3. During an inpatient admission in March 2005, Dr. Bulette identified Patient A's difficulty with attention, and noted a history of impulsivity and attentional and performance problems in school, which Dr. Bulette believed to support a contributing element of attention deficit disorder.

4. During the March 2005 hospitalization, Dr. Bulette performed a therapeutic trial of low-dose Adderall XR (amphetamine salts, Schedule II). In his March 6, 2006 written response to the Board, and in his statements to the Committee, Dr. Bulette indicated that Patient A told him the Adderall helped him, but that Dr. Bulette was not convinced that it did. Dr. Bulette continued prescribing Adderall until October 2005.

5. During the months that Dr. Bulette treated Patient A, the patient continued to demonstrate psychotic symptomology, relational problems and aggression, requiring multiple hospitalizations and incarcerations. Patient A was unable to effectively integrate into a community setting.

6. Patient A's mother addressed the Committee and stated that Dr. Bulette sought collateral information from her on numerous occasions. She stated she told Dr. Bulette that her son was not doing well.

7. Patient A's mother described to the Committee a violent incident that occurred in June 2005 that resulted in Patient A's rehospitalization and removal from her home.

8. Patient A left Dr. Bulette's care in November 2005.

9. Package insert information for Adderall XR lists agitated states and history of drug abuse as contraindications for the use of this drug.

10. Dr. Bulette explained that Patient A's outpatient record had been inadvertently included with records belonging to the hospital, which resulted in his delay in being able to provide them to the Board.

### CONCLUSIONS OF LAW

This matter is properly before the Board for consideration.

### ORDER

WHEREFORE, based on the above Findings of Fact and Conclusions of Law, it is hereby ORDERED that this matter be, and hereby is, CONTINUED on the following terms and conditions:

1. Within six (6) months of entry of this Order, Dr. Bulette shall obtain ten (10) hours of continuing medical education (CME) in the subject of treatment of psychotic disorders. Said CME shall be approved in advance of registration by the Board. The CME shall be completed through face-to-face, interactive sessions (i.e., no home study, journal, or Internet courses that do not allow for interaction with the lecturer). CME obtained through compliance with this term shall not be used toward licensure renewal requirements.

2. Within thirty (30) days of completion of CME as required by Term #1 of this Order, Dr. Bulette shall provide verification of completion satisfactory to the Board.

3. Upon receipt of evidence that Dr. Bulette has complied with the requirements of this Order, the Board authorizes the Executive Director to close this case with no further action, or to refer the matter to a Special Conference Committee.

4. Dr. Bulette shall maintain a course of conduct in his practice of medicine commensurate with the requirements of Title 54.1, Chapter 29 of the Code and all laws of the Commonwealth.

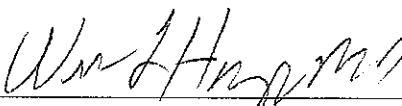
Violation of this Order may constitute grounds for suspension or revocation of Dr. Bulette's license. In the event that Dr. Bulette violates this Order, an administrative proceeding may be convened to determine whether his license shall be revoked.

Pursuant to Section 54.1-2400.2 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 54.1-2400(10) of the Code, Dr. Bulette may, not later than 5:00 p.m., on May 5, 2008, notify William L. Harp, M.D., Executive Director, Board of Medicine, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, in writing that he 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 May 5, 2008; 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: 4/1/08



# COMMONWEALTH of VIRGINIA

Sandra Whitley Ryals  
Director

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

www.dhp.virginia.gov  
TEL (804) 367- 4400  
FAX (804) 527- 4475

May 12, 2008

John L. Bulette, M.D.  
10150 Rogers Drive  
Nassawadox, Virginia 23413

**CERTIFIED MAIL**  
7160 3901 9845 1844 5847

RE: License No.: 0101-051010

Dear Dr. Bulette:

The Virginia Board of Medicine ("Board") has received verification that you have complied with the terms and conditions of the Board's Order entered April 1, 2008.

Therefore, the terms placed on your license have been TERMINATED effective this date. The record of the Board currently reflects that you have a full and unrestricted license in the Commonwealth of Virginia.

Pursuant to §54.1-2400.2 (F) of the *Code of Virginia*, a signed copy of this letter 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.

The Board wishes you well in your future endeavors.

Sincerely,

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

cc: Renée S. Dixon, Discipline Case Manager [106865]  
Jennie Wood, Administrative Assistant  
Susan Brooks, Office Manager, APD





# COMMONWEALTH of VIRGINIA

Sandra Whitley Ryals  
Director

*Department of Health Professions*

Perimeter Center  
9960 Mayland Drive, Suite 300  
Richmond, Virginia 23233-1463

www.dhp.virginia.gov  
TEL (804) 367-4400  
FAX (804) 527-4475

March 5, 2009

John Lawrence Bulette, M.D.  
10150 Rogers Drive  
P.O. Box 733  
Nassawadox, Virginia 23413

**CERTIFIED MAIL**

7160 3901 9845 3430 8140

RE: License No.: 0101-051010

Dear Dr. Bulette:

This letter is official notification that an informal conference of the Virginia Board of Medicine ("Board") will be held on **Thursday, April 16, 2009, at 1:30 p.m., at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2<sup>nd</sup> Floor, Henrico, 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, you may have violated Section 54.1-2915.A(17) of the Code, in that during the course of your treatment of the following patients, you prescribed methadone (Schedule II) for maintenance treatment or detoxification treatment; however, you have not been qualified and are not registered to dispense narcotic drugs for maintenance treatment or detoxification treatment as required by federal law [Controlled Substance Act of 1970, 21 U.S.C. 801 *et seq.*] and regulation [21 C.F.R. 1306.04 and 1306.07]:

- a. from on or about October 23, 2007 to on or about June 2, 2008, to Patient A;
- b. from on or about July 16, 2007 to on or about June 9, 2008, to Patient B;
- c. from on or about April 23, 2007 to on or about January 15, 2008, to Patient C;
- d. from on or about January 18, 2008 to on or about June 2, 2008, to Patient D;

- e. from on or about September 21, 2005 to on or about June 18, 2008, to Patient E;
- f. from on or about August 19, 2007 to on or about June 23, 2008; to Patient F;
- g. from on or about July 25, 2007 to on or about June 24, 2008, to Patient G;
- h. from on or about July 18, 2006 to on or about June 23, 2008, to Patient H;
- i. from on or about May 15, 2007 to on or about June 9, 2008, to Patient I; and
- j. from on or about September 3, 2007 to on or about June 23, 2008, to Patient J.

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

After consideration of all information, the Committee may:

- 1. Exonerate you;
- 2. Place you on probation with such terms it deems appropriate;
- 3. Reprimand you;
- 4. Modify a previous Board Order; and
- 5. Impose a monetary penalty pursuant to Section 54.1-2401 of the Code.

Further, the Committee may refer this matter for a formal administrative proceeding when it has failed to dispose of a case by consent pursuant to Section 2.2-4019 of the Code.

You have the right to information that will be relied upon by the Committee in making a decision. Therefore, I enclose a copy of the documents that will be distributed to the Committee for its consideration when discussing the allegations with you and when deliberating upon your case. These documents are enclosed only with the original notice sent by certified mail, and must be claimed at the post office. These materials have been provided this date to your counsel, Douglas E. Penner, Esquire.

To facilitate this proceeding, you must submit eight (8) copies of any documents you wish for the Committee to consider to Reneé S. Dixon, Discipline Case Manager, Virginia Board of Medicine, 9960 Mayland Drive, Suite 300, Richmond, Virginia, 23233, by **March 30, 2009**. Your documents may not be submitted by facsimile or e-mail. Should you or Adjudication Specialist Virginia Scher wish to submit any documents for the Committee's consideration after **March 30, 2009**, such documents shall be considered only upon a ruling by the Chair of the Committee that good cause has been shown for late submission.

Absent good cause to support a request for a continuance, the informal conference will be held on April 16, 2009. 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 **March 19, 2009**. Only one

such motion will be considered. Absent exigent circumstances, such as personal or family illness, a request for a continuance after **March 19, 2009**, will not be considered.

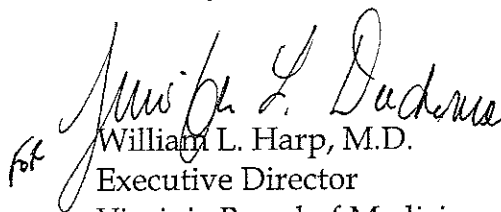
Relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of medicine and other healing arts in Virginia cited in this notice can be found on the Internet at <http://leg1.state.va.us>. To access this information, please click on the *Code of Virginia* for statutes and *Virginia Administrative Code* for regulations.

In its deliberations, the Committee may utilize the Sanction Reference Points System, as contained in the Sanction Reference Manual. The manual, which is a guidance document of the Board, may be accessed at <http://www.dhp.virginia.gov/medicine>. You may request a paper copy from the Board office by calling (804) 367-4513.

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.

If you have any questions regarding this notice, please contact Virginia Scher, Adjudication Specialist, at (804) 367-4669.

Sincerely,

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

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Enclosures:

Attachment I  
Informal Conference Package  
Map

cc: Stephen E. Heretick, J.D., President, Virginia Board of Medicine  
Sandra Whitley Ryals, Director, Department of Health Professions  
Reneé S. Dixon, Discipline Case Manager, Board of Medicine  
Virginia Scher, Adjudication Specialist, APD  
Lorraine McGehee, Deputy Director, APD  
Douglas E. Penner, Esquire [w/enclosures]  
Nan Dunaway, Pharmacy Inspector [119202]

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: JOHN LAWRENCE BULETTE, M.D.  
License No.: 0101-051010

ORDER

In accordance with Sections 54.1-2400(10), 2.2-4019 and 2.2-4021 of the Code of Virginia (1950), as amended ("Code"), an informal conference was held with John Lawrence Bulette, M.D., on May 28, 2009, in Richmond, Virginia. Members of the Virginia Board of Medicine ("Board") serving on the Special Conference Committee ("Committee") were: Karen A. Ransone, M.D., Chairman; Valerie Lowe Hoffman, D.C.; and Claudette Dalton, M.D. Dr. Bulette appeared personally and was represented by legal counsel, Douglas E. Penner, Esquire. Virginia Scher, Adjudication Specialist, was present as a representative for the Administrative Proceedings Division of the Department of Health Professions.

The purpose of the informal conference was to inquire into allegations that Dr. Bulette 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 5, 2009.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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

1. John Lawrence Bulette, M.D., was issued license number 0101-051010 by the Board to practice medicine and surgery in the Commonwealth of Virginia on July 1, 1994. Said license is currently active and will expire on November 30, 2010, unless renewed or acted upon.

2. Dr. Bulette violated Section 54.1-2915.A(17) of the Code in that, during the course of his treatment of the following patients, he prescribed methadone (Schedule II) for maintenance treatment or detoxification treatment; however, he has not been qualified and is not registered to dispense narcotic drugs for maintenance treatment or detoxification treatment as required by federal law [Controlled Substance Act of 1970, 21 U.S.C. 801 *et seq.*] and regulation [21 C.F.R. 1306.04 and 1306.07]:

- a. from on or about October 23, 2007 to on or about June 2, 2008, to Patient A;
- b. from on or about July 16, 2007 to on or about June 9, 2008, to Patient B;
- c. from on or about April 23, 2007 to on or about January 15, 2008, to Patient C;
- d. from on or about January 18, 2008 to on or about June 2, 2008, to Patient D;
- e. from on or about September 21, 2005 to on or about June 18, 2008, to Patient E;
- f. from on or about August 19, 2007 to on or about June 23, 2008; to Patient F;
- g. from on or about July 25, 2007 to on or about June 24, 2008, to Patient G;
- h. from on or about July 18, 2006 to on or about June 23, 2008, to Patient H;
- i. from on or about May 15, 2007 to on or about June 9, 2008, to Patient I; and
- j. from on or about September 3, 2007 to on or about June 23, 2008, to Patient J.

3. Despite having patients on methadone for periods of up to a year, Dr. Bulette stated to the Committee that he does not believe this constitutes methadone maintenance.

4. Dr. Bulette stated to the Committee that approximately eight percent of his patient population is currently on methadone treatment. He explained that the patients he sees are primarily psychiatric patients who experienced trauma and PTSD and who, in some cases,

are also addicts. Dr. Bulette stated he uses methadone to treat both their psychological and physical pain, but he did not document objective physical findings for the source of pain. Dr. Bulette stated his plan was to wean patients off methadone as they worked through their PTSD issues in therapy; however, the Committee could find no evidence of patients whose dosage was decreased significantly.

5. The Committee determined it could find no clear documentation and rationale for the use of methadone to treat Patients A - J for either PTSD or chronic pain.

### ORDER

WHEREFORE, based on the above Findings of Fact and Conclusions of Law, it is hereby ORDERED that John Lawrence Bulette, M.D., be, and hereby is, issued a REPRIMAND.

It is further ORDERED that Dr. Bulette's license be placed on the following TERMS and CONDITIONS:

1. Effective thirty (30) days from entry of this Order, Dr. Bulette shall be prohibited from prescribing methadone to patients and shall give written notice of this restriction to all patients to whom he is currently prescribing methadone.

2. Dr. Bulette shall not prescribe methadone to patients until and unless he qualifies and registers to dispense narcotic drugs for maintenance treatment or detoxification in compliance with federal law.

3. Should Dr. Bulette qualify and register to dispense narcotic drugs for maintenance treatment or detoxification in compliance with federal law, he shall, within thirty (30) days, provide notification to the Board.

4. Upon receipt of evidence that Dr. Bulette has complied with the requirements of this Order, the Executive Director of the Board is authorized to close this matter without further action. However, the Executive Director shall not have authority to lift the restriction on Dr. Bulette to prescribe methadone unless he provides evidence of having qualified to dispense as stated in Term #3

5. Dr. Bulette shall cooperate with the Virginia Board of Medicine and the Department of Health Professions in the investigation or inspection of his practice to verify that he is in compliance with this Order.

Dr. Bulette shall maintain a course of conduct in his practice of medicine commensurate with the requirements of Title 54.1, Chapter 29 of the Code and all laws of the Commonwealth.

Violation of this Order may constitute grounds for suspension or revocation of Dr. Bulette's license. In the event that Dr. Bulette violates this Order, an administrative proceeding may be convened to determine such action is warranted.

Pursuant to Section 54.1-2400.2 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 54.1-2400(10) of the Code, Dr. Bulette may, not later than 5:00 p.m., on July 13, 2009, notify William L. Harp, M.D., Executive Director, Board of Medicine, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, in writing that he 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 13, 2009, unless a request for a formal administrative hearing is received as described above.

FOR THE BOARD

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

ENTERED: *6/8/2009*