

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: DOUGLAS GODDARD FOSTER, M.D.
License No.: 0101-040028

CONSENT ORDER

The Virginia Board of Medicine and Douglas Goddard Foster, M.D., as evidenced by their signatures affixed below, agree to enter into this Consent Order affecting the license of Dr. Foster to practice medicine and surgery in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Board adopts the following findings and conclusions in this matter:

1. Douglas Goddard Foster, M.D., was issued license number 0101-040028 by the Board to practice medicine and surgery in the Commonwealth of Virginia on August 29, 1986. Said license is currently active and will expire on October 31, 2008, unless renewed or otherwise restricted.

2. Dr. Foster violated Sections 54.1-2915.A(13) and (16) of the Code of Virginia (1950), as amended ("Code"), in that on April 13, 2004, he responded to an email communication initiated by Individual A, the husband of one of his patients, and discussed opinions regarding her ongoing psychiatric therapy. Dr. Foster engaged in such communication without the patient's knowledge or authorization.

3. Dr. Foster stated to an investigator for the Department of Health Professions ("DHP investigator") that, in retrospect, he realizes that he should not have engaged in such communication because it was "improper" and "violated [the patient's] confidentiality." Further, he stated that, at the time of his email response, he was encouraged that Individual A had expressed an interest in his wife's treatment and stated that he was open to meeting with both he

and the patient together. In turn, Individual A responded to Dr. Foster that he was hesitant to attend any such meeting. Dr. Foster had no further communication with the Individual A, and the therapeutic relationship with the patient ended shortly thereafter.

4. Individual A stated to the DHP investigator that he initiated the email communication with Dr. Foster in an effort to determine the status of his wife's therapy sessions. He further stated that Dr. Foster's response on April 13, 2004 was not "particularly informative or helpful."

CONSENT

I, Douglas Goddard Foster, M.D., by affixing my signature hereto, acknowledge that:

1. I have been advised specifically to seek the advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me, except pursuant to the Virginia Administrative Process Act, § 2.2-4000.A et seq. of the Code of Virginia;
3. I have the following rights, among others:
 - a. the right to an informal conference before the Board; and
 - b. the right to appear in person or by counsel, or other qualified representative before the agency.
4. I waive all rights to an informal conference;
5. I admit the truth of the above Findings of Fact; and
6. I consent to the following Order affecting my license to practice medicine and surgery in the Commonwealth of Virginia.

ORDER

WHEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, and with the consent of the licensee, it is hereby ORDERED that Dr. Foster be issued a REPRIMAND.

Pursuant to Section 54.1-2400.2 of the Code, the signed original of this Consent 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:

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

ENTERED: 7/21/2008

SEEN AND AGREED TO:

Douglas Goddard Foster, M.D.
Douglas Goddard Foster, M.D.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Loudoun, TO WIT:

Subscribed and sworn to before me, the undersigned Notary Public, in and for the Commonwealth of Virginia, at large, this 16th day of July, 2008, by Douglas Goddard Foster, M.D.

Connie Stump
Notary Public

Registration Number: 279596

My commission expires: 12/31/2008

