



# COMMONWEALTH of VIRGINIA

Robert A. Nebiker  
Director

*Department of Health Professions*  
6603 West Broad Street, 5th Floor  
Richmond, Virginia 23230-1712

www.dhp.state.va.us/  
TEL (804) 662-9900  
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February 14, 2003

John O. Hurt, Jr., M.D.  
Catawba Hospital  
5525 Catawba Hospital Drive  
Post Office Box 200  
Catawba, Virginia 24070-0200

FEDERAL EXPRESS  
8334 5973 9576

RE: License No.: 0101-016908

Dear Dr. Hurt:

This letter is official notification that an informal conference of the Virginia Board of Medicine ("Board") will be held on **Wednesday, March 19, 2003, at 9:15 a.m.**, at the **Clarion Hotel, 3315 Ordway Drive, Roanoke, Virginia**. The conference will be conducted pursuant to Sections 54.1-2919, 2.2-4019 and 2.2-4021 [formerly Sections 54.1-2915, 9-6.14:11 and 9-6.14:12] 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 and regulations governing the practice of medicine in Virginia. Specifically:

You may have violated Sections 54.1-2915.A (3), as further defined in sections 54.1-2914.A (7), (8), (13) and (14) [formerly Sections 54.1-2914.A (9), (10), (15) and (16)] of the Code, and 18 VAC 85-20-100 of the Board's General Regulations, in that in the mid-to-late 1970s, you treated Patient A for numerous psychological problems, including issues with her male physician and an overly dependent relationship on a male friend. This treatment consisted of both outpatient appointments at your office and in-patient care at the Roanoke Valley Psychiatric Center, Roanoke, Virginia. For an approximate five-year period in the mid-1990s, you engaged in an inappropriate sexual relationship with Patient A.

In order to protect the privacy of Patient A, she has been referred to by letter only. Please see Attachment I for the identity Patient A.

Board of Audiology & Speech - Language Pathology - Board of Dentistry - Board of Funeral Directors & Embalmers - Board of Medicine - Board of Nursing  
Board of Nursing Home Administrators - Board of Optometry - Board of Pharmacy - Board of Counseling  
Board of Physical Therapy - Board of Psychology - Board of Social Work - Board of Veterinary Medicine  
Board of Health Professions

The Committee may take the following actions:

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 medicine 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 medicine in Virginia.

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 members of the Committee, and will be considered by the Committee 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. Further, these materials have been provided to your counsel, Richard L. Lawrence, Esquire.

Sine you have been noticed for an alleged violation of Section 54.1-2914.A(7) [formerly Section 54.1-2914.A(9)] of the Code, enclosed in these documents is Opinion 8.14 of the American Medical Association Code of Medical Ethics, as well as the American Psychiatric Association Principles of Medical Ethics. These documents are enclosed only with the original notice sent by certified mail.

Absent good cause shown to support a request for a continuance, the informal conference will be held on Wednesday, March 19, 2003. 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 12 noon on February 26 2003. Only one such motion will be considered.

Absent exigent circumstances, such as personal or family illness, a request for a continuance after February 26, 2003, will not be considered.

At attorney may represent you 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 12 noon on February 26, 2003.


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, 6603 West Broad Street, 5<sup>th</sup> Floor, Richmond, Virginia 23230-1717, by 12 noon on March 3, 2003. Your documents may not be submitted by facsimile or e-mail. Should you or Senior Assistant Attorney General Frank W. Pedrotty wish to submit any documents for the Committee's consideration after March 3, 2003, 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.

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.

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 Lori L. Pound, Senior Adjudication Analyst, at (804) 662- 7677.

Sincerely,



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

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Enclosures:

Attachment I  
Map  
Informal Conference Package

Notice of Informal Conference - John O. Hurt, Jr., M.D.  
February 14, 2003  
Page 4

cc: Harry C. Beaver, M.D., President, Virginia Board of Medicine  
Robert A. Nebiker, Director, Department of Health Professions  
Reneé S. Dixon, Discipline Case Manager, Board of Medicine  
Frank W. Pedrotty, Senior Assistant Attorney General [w/enclosures]  
~~Lori L. Pound, Senior Adjudication Analyst~~  
Richard Lee Lawrence, Esquire [w/enclosures / FEDERAL EXPRESS 8334 5973 9587]  
Patricia Fisher, Senior Investigator (76747)

**VIRGINIA:**

**BEFORE THE BOARD OF MEDICINE**

**IN RE:       JOHN O. HURT, JR., M.D.**  
**License No.: 0101-016908**

**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 John O. Hurt, Jr., M.D., on May 28, 2003, in Roanoke, Virginia. Members of the Virginia Board of Medicine ("Board") serving on the Informal Conference Committee ("Committee") were: Kenneth J. Walker, M.D., Chair; Malcolm L. Cothran, Jr., M.D., and Sue Ellen B. Rocovich, D.O. Dr. Hurt appeared personally and was represented by Richard Lee Lawrence, Esquire. The purpose of the informal conference was to inquire into allegations that Dr. Hurt 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 February 14, 2003.

**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. On July 6, 1964, John O. Hurt, Jr., M.D., was issued license number 0101-016908 by the Board to practice medicine and surgery in the Commonwealth of Virginia. The status of said license is currently active, and will expire on April 30, 2004, unless restricted or renewed.
2. Dr. Hurt violated Section 54.1-2915.A (3), as further defined in Section 54.1-2914.A (13) [formerly Section 54.1-2914.A (15)] of the Code, as defined in 18 VAC 85-20-100 of the Board's General Regulations, in that in the mid-to-late 1970s, he treated Patient A for numerous

psychological problems. This treatment consisted of both outpatient appointments at his office and in-patient care at the Roanoke Valley Psychiatric Center, Roanoke, Virginia. For an approximate five-year period in the mid-1990s, Dr. Hurt engaged in an inappropriate sexual relationship with Patient A.

3. Dr. Hurt advised the Committee that he was assaulted by a patient at Catawba Hospital ("Catawba"), Catawba, Virginia, in April 2003. Due to the injuries he sustained, he retired from Catawba on or about May 24, 2003.

4. Dr. Hurt stated that he has no future plans to return to practice, but is considering several future options if his health concerns are resolved.

#### **ORDER**

WHEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, it is hereby ORDERED that John O. Hurt, Jr., M.D., be, and hereby is, issued a REPRIMAND. Further, it is hereby ORDERED that a MONETARY PENALTY of one thousand dollars (\$1,000.00) is imposed upon John O. Hurt, Jr., M.D. Said monetary penalty shall be paid to the Board within forty-five (45) days from entry of this Order.

Upon receipt of evidence that Dr. Hurt has complied with the requirements of this Order, this case shall be closed without further proceedings. In the event Dr. Hurt fails to comply with the requirements of this Order, in the Board's discretion, he may be noticed to meet with an informal conference committee.

Violation of this Order may constitute grounds for suspension or revocation of Dr. Hurt's license. In the event that Dr. Hurt violates this Order, an administrative proceeding may

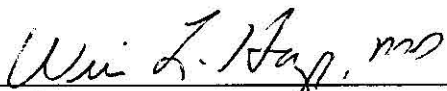
be convened to determine whether his license shall be revoked.

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. Hurt may, not later than 5:00 p.m., on July 7, 2003, notify William L. Harp, M.D., Executive Director, Board of Medicine, 6603 West Broad Street, Fifth Floor, Richmond, Virginia 23230-1712, 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 7, 2003, unless a request for a formal administrative hearing is received as described above.

FOR THE BOARD

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

ENTERED: 6/2/03



# COMMONWEALTH of VIRGINIA

Robert A. Nebiker  
Director

*Department of Health Professions*  
6603 West Broad Street, 5th Floor  
Richmond, Virginia 23230-1712  
August 13, 2003

[www.dhp.state.va.us/](http://www.dhp.state.va.us/)  
TEL (804) 662-9900  
FAX (804) 662-9943  
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John O. Hurt, Jr., M.D.  
Route #2, Box 726  
New Castle, Virginia 24127

**CERTIFIED MAIL**  
7160 3901 9844 2318 7870

RE: License No.: 0101-016908

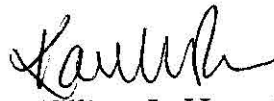
Dear Dr. Hurt:

This letter is official notification that the Virginia Board of Medicine ("Board") has received verification that on July 11, 2003, you paid the monetary penalty imposed by the Board's Order entered June 2, 2003. Based on receipt of this information, it has been determined that you have fully complied with the terms of the Board's Order. Therefore, this matter has been closed effective this date.

Pursuant to §2.2-4023 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: Renee S. Dixon, Discipline Case Manager, Board of Medicine [76747]  
Patricia Hanchey, Senior Administrative Assistant  
Tamika Hines, Office Manager, Enforcement Division

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