



# 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  
FAX (804) 662-9943  
TDD (804) 662-7197

July 2, 2004

Charles D. Moseley, M.D.  
400 West High Street  
Charlottesville, Virginia 22902

**CERTIFIED MAIL**  
7160 3901 9844 2316 0071

RE: License No.: 0101-019922

Dear Dr. Moseley:

This letter is official notification that an informal conference of the Virginia Board of Medicine ("Board") will be held on **Wednesday, August 4, 2004, at 2:00 p.m., at the offices of the Department of Health Professions, 6603 W. Broad Street, 5th 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 and surgery in Virginia. Specifically, you may have violated Section 54.1-2915.A (3), as further defined in Section 54.1-2914.A (13), and Section 54.1-2910.1 of the Code, and Part VII of the Board's General Regulations, "Practitioner Profile System" (18 VAC 85-20-280 et seq.), in that you failed to provide, in a timely manner, the information required by Section 54.1-2910.1 of the Code and Part VII of the Board's General Regulations, "Practitioner Profile System" (18 VAC 85-20-280 et seq.).

The following actions may be taken by this Committee:

1. exoneration;
2. probation with such terms as it may deem appropriate;
3. reprimand;
4. imposition of a monetary penalty pursuant to Section 54.1-2401; and
5. referral of the matter for a formal hearing

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

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 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, 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 Renée S. Dixon, Discipline Case Manager, Virginia Board of Medicine, 6603 West Broad Street, Fifth Floor, Richmond, Virginia 23230-1712, by **12 noon on July 14, 2004**. Your documents may not be submitted by facsimile or e-mail. Should you or Senior Adjudication Analyst Amanda E. Mitchell wish to submit any documents for the Committee's consideration after July 14, 2004, 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.

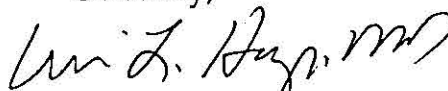
An attorney may represent you at the informal conference. If you obtain counsel, you should do so as soon as possible, because absent good cause to support a request for a continuance, the informal conference will be held on August 4, 2004. A request to continue this proceeding must state **in detail** 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 **12:00 noon on July 12, 2004**. Only one such motion will be considered. Absent exigent circumstances, such as personal or family illness, a request for a continuance after **July 12, 2004**, 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.

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 Amanda E. Mitchell, Senior Adjudication Analyst, at (804) 662-7218.

Sincerely,



William L. Harp, M.D.

Executive Director

Virginia Board of Medicine

**Notice of Informal Conference - Charles D. Moseley, M.D.**

**July 2, 2004**

**Page 3 of 3**

AEM/Moseley93NIC.doc

**Enclosures:**

Informal Conference Package  
Map

cc: Kenneth J. Walker, M.D., President, Virginia Board of Medicine  
Robert A. Nebiker, Director, Department of Health Professions  
Renée S. Dixon, Discipline Case Manager, Board of Medicine (95193)  
Amanda Mitchell, Senior Adjudication Analyst  
Kathleen R. Nosbisch, Deputy Executive Director, Practitioner Information

**VIRGINIA:**

**BEFORE THE BOARD OF MEDICINE**

**IN RE:        CHARLES D. MOSELEY, M.D.**  
**License No.: 0101-019922**

**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 regarding Charles D. Moseley, M.D., was convened on August 4, 2004, in Richmond, Virginia. Members of the Virginia Board of Medicine ("Board") serving on the Special Conference Committee ("Committee") were: Thomas B. Leecost, D.P.M., Chair; Sandra Anderson Bell, M.D.; and Carol E. Comstock, R.N. Dr. Moseley did not appear personally and was not represented by legal counsel. The purpose of the informal conference was to inquire into allegations that Dr. Moseley 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 July 2, 2004.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

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

1. Charles D. Moseley, M.D., was issued license number 0101-019922 to practice medicine and surgery in the Commonwealth of Virginia on June 30, 1969. Said license is currently active, and will expire on October 31, 2004, unless renewed or otherwise restricted.
2. Dr. Moseley was properly noticed for the informal conference, by letter dated July 2, 2004, and sent to his official address of record with the Board. By letter dated August

3, 2004, Dr. Moseley submitted a statement concerning the allegations against him, and a request for a continuance. The continuance request was considered and denied, based on lack of timeliness and documentation demonstrating exigent circumstances. The Committee determined that Dr. Moseley was provided timely and proper notification. The informal conference proceeded in Dr. Moseley's absence, and his statement was considered.

3. Dr. Moseley violated Section 54.1-2915 (3) [formerly 54.1-2915.A (3)], as further defined in Section 54.1-2914. A (13), and Section 54.1-2910.1 of the Code, and Part VII of the Board's General Regulations, "Practitioner Profile System" (18 VAC 85-20-280 et seq.), in that he failed to provide, in a timely manner, the information required by Section 54.1-2910.1 of the Code and Part VII of the Board's General Regulations, "Practitioner Profile System" (18 VAC 85-20-280 et seq.).

4. Board records revealed that letters sent to Dr. Moseley on March 26, 2001, April 20, 2001, June 6, 2001, and September 6, 2001, regarding the requirement that he submit information regarding his practitioner profile to the Board, were not returned.

5. A paper questionnaire was sent to Dr. Moseley on July 23, 2002.

6. Dr. Moseley returned the completed questionnaire to the Board on August 1, 2002. The information was entered on August 1, 2002, and the profile was available to the public as of August 23, 2002.

### ORDER

WHEREFORE, based on the above Findings of Fact and Conclusions of Law, it is ORDERED that a MONETARY PENALTY of one thousand dollars (\$1000.00) is imposed

upon Charles D. Moseley, M.D. This monetary penalty shall be paid within forty-five (45) days of entry of this Order.

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

Pursuant to Section 54.1-2400.2(F) 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. Moseley may, not later than 5:00 p.m., on September 22, 2004, notify William L. Harp, M.D., Executive Director, Board of Medicine, 6603 West Broad Street, Richmond, Virginia 23230, 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 September 22, 2004, unless a request for a formal administrative hearing is received as described above.

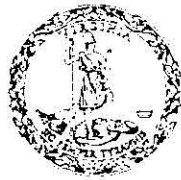
FOR THE BOARD



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

ENTERED: \_\_\_\_\_

8/18/04



# COMMONWEALTH of VIRGINIA

Robert A. Nebiker  
Director

*Department of Health Professions*  
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Richmond, Virginia 23230-1712

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September 15, 2004

Charles D. Moseley, M.D.  
400 West High Street  
Charlottesville, Virginia 22009

**CERTIFIED MAIL**  
7160 3901 9848 3152 7022

RE: License No.: 0101-019922

Dear Dr. Moseley:

This letter is official notification that the Virginia Board of Medicine ("Board") has received verification that you paid the monetary penalty of \$1,000.00 in full on August 26, 2004. Therefore, your full compliance has been noted with the Board's Order entered August 18, 2004. This matter has been closed effective this date and the records of the Board indicate that you have a full and unrestricted license.

Pursuant to §54.1-2400.2 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

cc: Kathleen Nosbisch, Deputy Executive Director, Practitioner Information  
Reneé S. Dixon, Discipline Case Manager, Board of Medicine [95193]  
Patricia Hanchey, Senior Administrative Assistant  
Office Manager, Enforcement Division