



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

February 6, 2008

Stephen Brown, M.D.
3913 Stuart Avenue, #2
Richmond, Virginia 23221

CERTIFIED MAIL
7160 3901 9845 1842 4880

RE: License No.: 0101-229484

Dear Dr. Brown:

This letter is official notification that an informal conference of the Virginia Board of Medicine ("Board") will be held on **Wednesday, March 12, 2008, at 2:15 p.m., at the Perimeter Center, 9960 Mayland Drive, 2nd 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 governing the practice of medicine in Virginia. Specifically:

1. You may have violated Sections 54.1-2915.A(1) and (16) of the Code, in that, by your own admission, on or about May 10, 2005, you submitted a falsified reference letter in support of your application for employment at Catawba Hospital by altering a letter that a supervising staff psychiatrist had written on your behalf more than a year earlier and forging the doctor's signature.

2. You may have violated Section 54.1-2915.A(3)¹ and (13) of the Code, in that:

a. In or about March and April 2003, you failed to report for required rotations at the United States Naval Medical Center in Portsmouth, Virginia, resulting in your dismissal from the center's residency program in or about May 2003, and a General Discharge from the Navy in or about December 2003.

¹ Va. Code §54.1-2915.A(3) was re-codified July 1, 2005, from 54.1-2915.A(4). Prior to 7/1/05, the statute included "gross ignorance or carelessness in the practice, or gross malpractice."

b. In or about December 2004, you were suspended from your residency program at the Medical College of Virginia, based on repeated use of medical center computers, in patient care areas, for inappropriate purposes, including accessing pornographic materials.

3. You may have violated Sections 54.1-2915.A(4) and (14) of the Code, in that you are unable to practice medicine with reasonable skill and safety to your patients and the public due to mental illness. By your own admission, major depression contributed to your failure to attend required rotations at the United States Naval Medical Center in 2003, and medical records from your current and previous treating physicians confirm a mental health diagnosis.

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 certified mail, and must be claimed at the post office. These materials have been provided this date to your counsel, John R. McNeer, 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, 3rd Floor, Richmond, Virginia 23233, by **February 26, 2008**. Your documents may not be submitted by facsimile or e-mail. Should you or Adjudication Specialist, Nancy L. Walsh, wish to submit any documents for the Committee's consideration after **February 26, 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.

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 20, 2008**. Only one such motion will be considered. Absent exigent circumstances, such as personal or family illness, a request for a continuance after **February 20, 2008**, will not be considered.

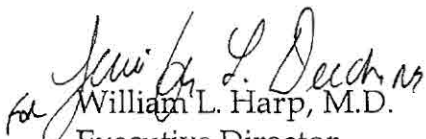
Relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of medicine and other healing arts in Virginia cited in this notice can be found on the Internet at <http://leg1.state.va.us>. To access this information, please click 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 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 Nancy L. Walsh, Adjudication Specialist, at (804) 367-4417.

Sincerely,


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

WLH:fd0206N4.ifcnot.brown.08

Enclosures:

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
Nancy L. Walsh, Adjudication Specialist, APD
Lorraine McGehee, Deputy Director, APD
John R. McNeer, Esquire [with enclosures]
Enforcement Division (102998)

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

**IN RE: STEPHEN BROWN, M.D.
 License No.: 0101-229484**

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 Stephen Brown, M.D., on March 12, 2008, in Richmond, Virginia. Members of the Virginia Board of Medicine ("Board") serving on the Special Conference Committee ("Committee") were: Sandra A. Bell, M.D., Chairperson; Stephen Heretick, J.D.; and Gopinath Jadhav, M.D.

Dr. Brown appeared personally and was represented by legal counsel, John R. McNeer, Esquire. Nancy Walsh, 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. Brown 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 6, 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. Dr. Brown was issued license number 0101-229484 by the Board to practice medicine and surgery in the Commonwealth of Virginia on December 6, 2000. Said license will expire on February 28, 2010, unless renewed or otherwise restricted.

2. Dr. Brown violated Sections 54.1-2915.A(1) and (16) of the Code in that, by his own admission, on or about May 10, 2005, he submitted a falsified reference letter in support of his application for employment at Catawba Hospital, Catawba, Virginia, by altering a letter that a supervising staff psychiatrist had written on his behalf more than a year earlier and forging the doctor's signature.

3. Dr. Brown violated Section 54.1-2915.A(3)¹ of the Code, in that, in or about March and April 2003, he failed to report for a required Geriatric Psychiatry rotation at the United States Naval Medical Center in Portsmouth, Virginia, resulting in his dismissal from the Center's residency program in or about May 2003, and a General Discharge from the Navy in or about December 2003.

4. On or about July 1, 2004, Dr. Brown began a fourth year residency in psychiatry at the Medical College of Virginia (MCV). On or about December 17, 2004, MCV suspended Dr. Brown from all clinical and academic duties based on repeated, inappropriate use of medical center computers, including use of computers in patient care areas to access pornographic materials. In or about January 2005, Dr. Brown was terminated from the MCV residency program.

5. Dr. Brown stated to the Committee that during this time period he was undergoing major challenges in his personal life, which had an impact on his ability to focus on residency obligations.

¹ Va. Code §54.1-2915.A(3) was re-codified July 1, 2003, from 54.1-2915.A(4). Prior to July 1, 2003, the statute included "gross ignorance or carelessness in the practice, or gross malpractice."

6. Dr. Brown stated that he used poor judgment in forging the reference letter in May of 2005 and has regretted this action since it happened.

7. Since in or about 2005, Dr. Brown has been participating in individual therapy on a monthly or weekly basis to help him address his prior lack of judgment and commitment, and responses to life stressors.

8. Dr. Brown stated that he has not practiced medicine since in or about 2005, and plans to take a Board review course prior to returning to practice.

ORDER

WHEREFORE, based on the above Findings of Fact and Conclusions of Law, it is hereby ORDERED that Stephen Brown, M.D., be, and hereby is, issued a REPRIMAND and that his license be subject to the following TERMS and CONDITIONS:

1. Dr. Brown shall not return to the practice of medicine until:

(a) He has provided the Board with an evaluation from his current treating practitioner regarding his ability to return to the practice of medicine in a safe and competent manner; and

(b) The Executive Director of the Board has reviewed the evaluation and authorized Dr. Brown to return to practice.

2. Within nine (9) months of entry of this Order, Dr. Brown shall successfully complete a Board-approved continuing medical education ("CME") course, which consists of at least nine (9) hours, in the subject of professional ethics. The course shall be approved in advance of registration by the Executive Director of the Board. These continuing education hours 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). Any CME hours obtained in compliance with this term shall not be used toward compliance with the Board's continuing education requirements for license renewal.

3. Within twenty-one (21) days of completion of the continuing education, Dr. Brown shall submit a certificate or other evidence, satisfactory to the Board, of completion of this course.

4. Upon receipt of evidence that Dr. Brown has complied with the terms of this Order, the Committee authorizes the Executive Director of the Board to close this matter without further proceedings.

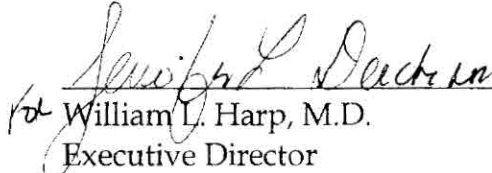
Violation of this Order may constitute grounds for suspension or revocation of Dr. Brown's license. In the event that Dr. Brown violates this Order, an administrative proceeding may be convened to determine whether his license shall be suspended or revoked.

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. Brown may, not later than 5:00 p.m., on April 22, 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 April 22, 2008; unless a request for a formal administrative hearing is received as described above.

FOR THE BOARD


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

ENTERED: 3/17/08



COMMONWEALTH of VIRGINIA

Sandra Whitley Ryals
Director

Department of Health Professions

Perimeter Center
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Richmond, Virginia 23233-1463

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September 29, 2008

Stephen Brown, M.D.
P. O. Box 2341
Glen Allen, Virginia 23058

CERTIFIED MAIL
7160 3901 9845 1844 6141

RE: License No.: 0101-229484

Dear Dr. Brown:

The Virginia Board of Medicine ("Board") has received verification of your compliance with Terms #1, #2 and #3 of the Board's Order entered March 17, 2008.

Therefore, pursuant to the authority granted by Term #4, I have determined that the terms placed on your license should be **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 [102998]
Jennie Wood, Administrative Assistant
Susan Brooks, Office Manager, APD