

BEFORE THE WEST VIRGINIA BOARD OF MEDICINE

IN RE: STEPHEN DAVID DURRENBERGER, M.D.

CONSENT ORDER

The West Virginia Board of Medicine ("Board") and STEPHEN DAVID DURRENBERGER, M.D. ("Dr. Durrenberger"), freely and voluntarily enter into the following Consent Order pursuant to the provisions of W. Va. Code § 30-3-1, et seq.:

FINDINGS OF FACT

1. STEPHEN DAVID DURRENBERGER, M.D., holds a license to practice medicine and surgery in the State of West Virginia, License No. 19772, and his address of record with the Board is in Huntington, West Virginia.

2. In May, 2007, the Complaint Committee of the Board initiated a Complaint against Dr. Durrenberger alleging that Dr. Durrenberger, in his capacity as the Medical Director of Prestera Center in Huntington, West Virginia, was allowing an unlicensed individual to work as a physician at Prestera Center and to write prescriptions of controlled substances for the treatment of patients using pre-signed prescription slips obtained from Dr. Durrenberger.

3. By correspondence dated June 14, 2007, Dr. Durrenberger responded to the allegations in the Complaint and acknowledged the mishandling of the prescription issue.

4. On September 9, 2007, Dr. Durrenberger appeared before the Complaint Committee for a full discussion regarding this matter. During the meeting, Dr. Durrenberger acknowledged his mistakes in this matter and expressed genuine remorse for his actions.

CONCLUSIONS OF LAW

1. The Board has a mandate pursuant to W. Va. Code § 30-3-1 to protect the public interest.

2. Probable cause exists to substantiate charges pursuant to the provisions of W. Va. Code § 30-3-14(c)(16), relating to delegating professional responsibilities to a person whom the licensee knows or has reason to know is not qualified by licensure to perform the responsibilities; W. Va. Code § 30-3-14(c)(17) and 11 CSR 1A 12.1 (n) and (aa), relating to aiding or assisting an unlicensed person to practice medicine and delegating professional responsibilities to a person whom the licensee knows or has reason to know is not qualified by licensure to perform the responsibilities; and W. Va. Code § 30-3-14(c)(19), relating to gross negligence in the use and control of prescription forms.

3. It is appropriate to waive the commencement of proceedings against Dr. Durrenberger and to proceed without the filing of formal charges in a Complaint and Notice of Hearing, provided Dr. Durrenberger complies with the terms and conditions set forth herein.

CONSENT

STEPHEN DAVID DURRENBERGER, M.D., by affixing his signature hereon, agrees solely and exclusively for purposes of this agreement and the entry of the Order provided for and stated herein, and proceedings conducted in accordance with this Order, to the following:

1. Dr. Durrenberger acknowledges that he is fully aware that, without his consent, no permanent legal action may be taken against him except after a hearing held in accordance with W. Va. Code § 30-3-14(h) and W. Va. Code § 29A-5-1, et seq.

2. Dr. Durrenberger further acknowledges that he has the following rights, among others: the right to a formal hearing before the West Virginia Board of Medicine, the right to reasonable notice of said hearing, the right to be represented by counsel at his own expense, and the right to cross-examine witnesses against him.

3. Dr. Durrenberger waives all rights to such a hearing.

4. Dr. Durrenberger consents to the entry of this Order relative to his practice of medicine and surgery in the State of West Virginia.

5. Dr. Durrenberger understands that this Order is considered public information, and that matters contained herein may be reported, as required by law, to the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.

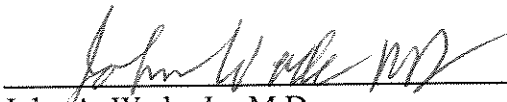
ORDER

WHEREFORE, on the basis of the foregoing Findings of Fact and Conclusions of Law of the Board, and on the basis of the consent of Dr. Durrenberger, the West Virginia Board of Medicine hereby **ORDERS** that Dr. Durrenberger is **PUBLICLY REPRIMANDED** for allowing an unlicensed individual to write prescriptions of controlled substances for the treatment of patients using pre-signed prescription slips obtained from Dr. Durrenberger.

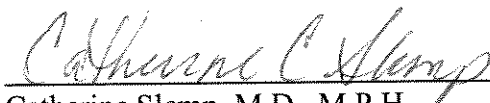
The foregoing "Consent Order" of STEPHEN DAVID DURRENBERGER,
M.D., was:

Entered this 4th day of October, 2007.

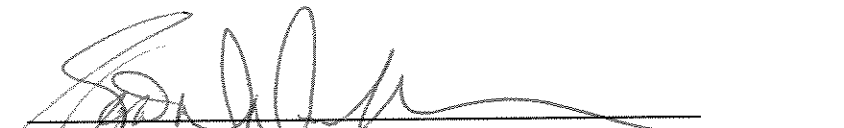
WEST VIRGINIA BOARD OF MEDICINE



John A. Wade, Jr., M.D.
President



Catherine Slemp, M.D., M.P.H.
Secretary



STEPHEN DAVID DURRENBERGER, M.D.

Date: 9/27/07

STATE OF WEST VIRGINIA

COUNTY OF Cabell

I, NANCY R. ROBERTS, a Notary Public in and for said county and state do hereby certify that STEPHEN DAVID DURRENBERGER, M.D., whose name is signed on the previous page has this day acknowledged the same before me.

Given under my hand this 27th day of September, 2007.

My commission expires November 24, 2009.

Nancy R. Roberts
Notary Public

