

## **Boundary/Substance Abuse Issues;**

Mount Airy

Licensee

8/21/2011 in Johnson City TN, rec'd a DUI/arrested for drugs, drug paraphernalia and alcohol

9/21/2011 given a reprimand for having written Rx for a friend and for family members

1/26/12 Public Letter of Concern Re DUI arrest and prescribing issues

**\*\*\*No time out of work? How much did he pay somebody to get this?**

3/12/12

Norwalk OH

Licensee

3/12/12 Consent Order; 30-day suspension immediately stayed

Has romantic relationship with Pt. "A", claims to have terminated physician-patient relationship but it wasn't documented. After that date she wrote a Rx for that pt that she used to treat herself, falsified that Rx which she had originally received from a prior physician.

**\*\*\*Diverted/took medication, only got 30 day suspension which was immediately stayed, others who diverted and took meds are out of work ~years!**

Moyock NC

Licensee

3/2009-11/2009 NCMB became aware that he had practiced medicine in NC without a license by calling in Rx's from VA for family and friends, had failed to answer a question correctly on his application

1/2010 Consent Order/Reprimand/6 month suspension immediately stayed

10/26/11; DUI 0.14 BAC, Pt. immediately met with NCPHP after DUI, interviewed by NPHP and evaluated at a facility specializing in professionals

12/5/11 left NCPHP without accepting recommendation for additional evaluation

12/2011 NCPHP sent letter recommending 3 different treatment centers

2/8/12; Arrested for assault on a female, charges later dropped

2/13/12; evaluated at Shands Evista Gainesville for treatment

2/15/12; NCMB issues order for examination by Shands requiring Dr. Fenn to submit to any further treatment ordered by Shands and to provide NCMB Shands treatment. Shands diagnoses of EtOH/cocaine abuse/anger mgmt. requiring treatment. NCPHP reminds patient to abide by recommendations, pt. promised NPHP he would seek treatment @ The Pavilion Center in NC 2/19/12

2/2012 Didn't show for treatment @ Pavilion

2/21/12 He is still treating patients, he tells investigator that he'll be evaluated 3/5-9/12 although NCPHP has not approved the center that he plans to use in California

3/7/2012 Summary Suspension of License, multiple continuances requested.

8/16/13 Wake County General Court of Justice, Superior Court Division states the treatment center he chose was acceptable although NCMB had stated he had to go to a NCMB chosen facility, superior court reversed NCMB decision

**\*\*\*VERY SIGNIFICANT!! Not only did he not put up with the NCMB's Legal Departments coercion, he actually went to the Wake County Civil Court, which promptly overturned the NCMB Legal Department's actions!**

Lumberton NC

Licensee

12/2007 Voluntarily surrendered license

5/2008 Consent Order Indefinitely Suspended concerning illegally obtaining Schedule II drugs by prescribing the meds to somebody else without their knowledge, given an indefinite suspension Ordered to NCPHP

10/2010 Consent Re-entry

4/2011 Re-Entry completed

4/17/2012 Full license restored without any consent order in place

**\*\*\*Out of work for 2.5 years**

Rocky Mount NC

Licensee

10/2011 Prescribing controlled substances to a close family member for diversion to him, also asking other providers to prescribe controlled substances to family members so he could divert them to himself.

4/2/12 Public Letter of Concern to not continue this behavior, no other discipline

**\*\*\*Public Letter of Concern??? Where's the NCPHP evaluation and treatment, where did he go for addiction treatment? Why was he not out of work for 2 years? Who was paid off??!**

Jacksonville NC

Licensee

7/10/76 Felony Conviction for sale of cocaine, spent 4 months in prison then probation due to possession with intent to distribute cocaine

On application for licensure in 1999 answered "no" to prior convictions when in fact in 1983 she had been convicted of a DUI with BAC >0.1%

1/22/00 Issued license by NCMB

9/2007 elicited use of a coworker to divert controlled medications to patient "A", and patient "B, C, D, E" had prescriptions without documentation for the reason why in the patient's chart

7/2008 goes to treatment, surrendering license

9/19/08 Consent Order for an assessment with indefinite suspension

Had a significant emotional relationship with Patient "A" for whom she prescribed controlled and regular medications without documentation.

4/2010 Consent Order re-instatement of six month temporary license, shall continue under NCPHP contract

9/2010 Renewal

9/2011 Unrestricted license returned to practice but RELAPSED; her DEA for Schedule II, III had not been restored, she prescribed Schedule II & III medications and/or had other mid-level providers prescribe for her and falsely documented in the patient charts.

5/29/12 Consent Order 2 year suspension stayed all but 4 months, must surrender DEA registration for at least two years

**\*\*\*How did she get a license to practice with her history; no 2000 Public letter of concern, so she lied on her application for licensure, NCMB didn't do any background check.**

Mebane NC

Licensee

Licensed in 2000

12/2010 Consent Order/Reprimand due to prescribing 1,1034 Oxycodone 5 mg strengths on 8 different occasions between 2008 and 2009 controlled substances to family member A but did keep a record of it. Patient "A" also received 504 15 mg Oxycodone Rx's on three different occasions and Ambien and Lunesta on 3 occasions in 2008 and 2009 to address chronic long-standing back pain and medical issues after multiple surgeries. Patient "A" was receiving concurrent opiates from his other treating physicians.

Family member "B" received a cough syrup on one occasion in 2008 and 2010 but he did keep a record of it.

Family member "C" receives Rx for Endocet (schedule II) on one occasion in 2008

5/23/2012 Voluntary surrender of license.

**\*\*\*Why was he only given a reprimand in 2010 for such egregious prescribing habits? There is no mention of CME requirements, NCPHP Boundary evaluation or other discipline. Although not clear, he was probably abusing drugs due to the surrender in 2012. If the NCPHP had been involved he may have been salvageable.**

Winston-Salem NC

Licensee

8/2009 Surrenders License, Arrested for aggravated assault, discharging a firearm into a condo where he was residing during vacation

3/2010 Consent Order Indefinite Suspension due to excessive use of drugs, entered into NCPHP contract.

6/2011 Temporary license via Consent Order

5/17/2012 Full license restored

Bexly OH

Licensee

From 2005-2009 had an ongoing physician-patient relationship with patient "A" with allegations of sexual contact (was married at the time as well). She was not a patient when they first met. 2006 patient requested provider prescribe her pain medications due to chronic back pain; which he did for a period of time. They broke the relationship up for awhile, she saw him as a patient in 2007, then in 2008 the relationship resumed, he did maintain records on his laptop computer which was reported as stolen 7/27/09. There were two progress notes in his office.

9/2007 prescribed controlled substance Ambien to a close family member without recording it.

11/10/11 OHMB suspends license for 180 days then 2-year probation and required to take CME's and get treatment, must take a CME class on Physician-Patient Boundaries and Medical Records, must appear periodically before the OH MB  
2012 Relinquishes his FL license based on OH medical Board actions  
2012 MI MB reprimands him  
2012 IN license is put on probation because of OH incident  
2012 KY, IN & CO put him on probation reciprocally as well.  
9/11/12 NCMB Consent Order mirrors Ohio order

Taylorsville NC

Licensee

2009-3/2012 Re; inappropriate relationship and prescribing with patient "A" and "B", "A" was husband; "B" was wife, seen from 2/2009 thru 3/2012  
9/2011 "A"'s records were transferred to another practice; provider began a sexual relationship with him while continuing to prescribe controlled substances to him.  
12/2011 Provider began living in the home of "A&B"  
1/2012. Treatment to "A&B" included controlled medications.  
3/2012 Provider had been terminated from her employment  
3/12/2012 Self-reports to NCMB that she had been terminated from employment  
3/9/12 NCMB becomes involved after receiving information Re; inappropriate relationship and prescribing with patient "A" and "B", "A" was husband; "B" was wife, both seen from 2/2009 thru 3/2012.  
3/2012 Provider moved out of their home  
12/18/12 Consent Order/Reprimand/Suspension for 120 days immediately stayed, no loss of time at work.

**\*\*\*Unbelievably light!**

Roseboro NC

Licensee

NCMS

3/2010 anonymous complaint to NCMB regarding possible substance abuse issues  
4/12/2010 Referred to NCPHP  
6/1/10 NCPHP evaluation narcissistic and anti-social personality traits and possible malingering and substance abuse/dependence needed to be considered  
7/12/10 Provider wrote letter to NCPHP refusing to go to Acumen  
8/3/10 NCMB Ordered provider to Acumen for exam within 60 days  
9/21/10 providers counsel asked for extension  
9/28/10 new counsel requested extension, given an additional 60 days, failed to comply with NCMB  
6/16/11 NCMB issues charges against provider to have the evaluation done at Acumen  
9/21/12 had an assessment done; NCMB acknowledges health issues and inability to travel by air  
12/13/12 Public Letter of Concern (no clear indication why or indication of anything wrong)

**\*\*\*From 6/16/11 to 9/21/12 the NCMB does NOTHING, this guy continues to practice without restrictions while under NCPHP's concern for substance**

**abuse. This gives him time to enter treatment on his own (if he did so), clean up his act and he never missed a day of work at the behest of the NCMB other than any possible time in treatment? He doesn't comply with NCMB or NCPHP and his license is never inactivated or restricted in any way!**

Cary NC

Licensee

5/14/2011 Patient "A" saw a different provider in Dr. Moore's practice who had pain 2' to a closed pelvic fracture, was referred to orthopedics. Dr. Moore admitted that there were deficiencies in the care of patient "A".

7/2011 NCMB receives complaint about inappropriate care and medication prescribing occurring from 2/2011-7/2011 to patient "B" with whom he had a personal relationship Investigation showed deficiencies in record keeping, prescribing and other quality of care concerns

9/2011 NCMB orders assessment with NCPHP which orders a more comprehensive workup at Behavior Medicine Institute of Atlanta (BMI)

1/2012 Assessed at Talbot in Atlanta indicating alcohol dependencies, professional boundary issues and occupational problems

1/2012 Voluntary surrender of license

4/2012; Consent Order voluntary suspension

1/28/13 Temporary license granted

7/18/13; Undated License granted.

**\*\*\*Only out of work for 1 year with NCPHP involvement, even this seems excessive if NCPHP advocated for earlier return to practice, other providers would get a much longer term out of work.**

Charlotte NC

Licensee

2/29/2012 DEA gave information to NCMB that Henry Schein had discontinued all sales of controlled substances to Dr. Driscoll due to his admission of self-use of controlled

7/2010-3/2012 had placed 58 orders for controlled and non-controlled substances to Schein

substances

3/2/2012 Voluntary Surrender of DEA#, refused Consent Order from NCMB

3/20/12 Admitted to receiving controlled and non-controlled substances and self-treating since 2005 and taking medications as noted below and in addition hydrocodone for his life., surrendered NC medical license

5/2012 NCMB charged him with nonprofessional conduct

10/20/12 Admitted to self-treating since 2005; Medications including Testosterone, Phendinetrazine and to giving medication to his wife. Quantities of medications were excessive;

10 orders of Xanax #2100 2 mg tablets

8 orders of 10 mg Hydrocodone 1,200 tablets

5 mg Hydrocodone 5 mg tablets #100 tablets

4 orders of Depo-Testosterone 5 10 ml vials at 200 mg/ml concentration

1 order for Diazepam 5 mg 200 tablets

1 order of Carisoprodol 200 tablets 350 mg tablets  
13 orders of Phendimetrazine totally 13,000 35 mg tablets  
Tramadol was also ordered, as well as Metformin, Prednisone, Remeron, Sertraline,  
Clonidine, Cymbalta, Oxybutinin, Carbidopa, DepoMedrol  
3/2012 license expired/not renewed.  
8/19/13 NY Board accepted surrender of his license  
12/13/2012 Hearing in front of the Board Dr. Driscoll was not present, did not testify nor  
present evidence and was given a Reprimand by the Board for unprofessional conduct  
1/2/13 Consent Order Reprimand after he chose to not renew his license  
**\*\*\*Apparently would have been allowed to renew his license, no mention to the  
contrary. Another licensee had been “forbidden to ever apply for NC license again”  
which is not stated in this licensee’s Board Documents. A reprimand is unbelievably  
light discipline, that illustrates how harsh the Legal Department treats licensees in  
comparison to the Board Members themselves! Licensees should NEVER accept a  
“Consent Order” without appearing before the Board.**

Raleigh NC

Licensee

2/22/13 Licensee receives a Public Letter of Concern for prescribing to family members  
and personal use of medications including controlled substances and given \$1500 fine.

Must take 2-day CME course at Vanderbilt University May 2013

5/30/13 Provider has completed the requirements.

**\*\*\*Extraordinarily light sentence**

Virginia Beach VA

Licensee

4/2011 authorized Rx for a friend and employee for Xanax and diverted Xanax for  
herself, self-referred to NCPHP, entered into a contract

6/2011 surrendered license

12/2011 Indefinite suspension

4/15/13 Consent Order for temporary license to maintain NCPHP contract

Statesville NC

Licensee

2009 began inappropriate relationship with his RNP, continued to care for her and  
prescribe controlled substances for her, giving her Rx’s in the name of his practice-  
partners without their knowledge, Self-prescribed testosterone

2009 Admonished by the Board to not continue to do this

9/2011 Consent Order 1 year suspension immediately stayed with restrictions 10/15/11

thru January 15 2012 will serve an active suspension, pay \$5K fine within 90 days,  
within 6 months will take CME courses on Medical Ethics, Contract with NCPHP.

4/10/13 Consent Order Relief of obligations

Rock Hill SC

Licensee

NCMS

8/2008 Diverted Phentermine to self in name of other physicians  
Entered into NCPHP contract, 1 year monitoring contract with NCPHP  
6/2010 Suspended for 12 months, all but 3 months stayed.  
4/3/13 Consent Order for relief of obligations.

**\*\*\*Pretty harsh treatment for taking diet pills/self-prescribed**

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Pre-2012

Licensee  
Greenville

Licensed 1967 Psychiatry

12/2008 Surrender of license

10/2008 the NCMB learned that licensee had obtained controlled substances prescribed for other patients and family members. Entered into NCPHP contract.

1/2009 Consent Order; indefinite suspension

2/2009 Surrenders DEA license and receives treatment for PTSD

6/2010 Consent Order; Temporary License, Reprimand, requires NCPHP contract

5/2011 Has been writing controlled substances Rx's since 2/2010 to 5/2011 without a DEA number using pre-printed Rx plans with his surrendered DEA#

6/2011; Refuses NCPHP drug screening

7/2011 Surrenders license

9/21/2011 Consent Order; indefinite suspension

**\*\*\*Why does he get a *reprimand* with a temporary license in 2010? Is he actively trying to resume practice and lost to F/U due to Legal Department or did he retired. Supposedly living in Chocowinity NC currently.**

Licensee

5/24/13 Voluntarily surrender of license 2' to prescribing controlled substances to patients "A"- "E" and intimate relationship with patient "E" as well as alcohol abuse  
Since then has completed residential treatment for addiction and under NCPHP contract

10/28/13 Indefinite Suspension

Licensee

9/2007 Public letter of Concern for self-prescribing and prescribing for family, ordered for NCPHP evaluation

10/2007 NCPHP contract; Refrain from EtOH

2/4/08 Random urine (+) EtOH admitted to using the prior weekend and two other occasions

6/12/09 Public Letter of Concern Re; 2/4/08 ("had received no complaints")

**\*\*\*He had alcohol issues, relapsed, was caught, it took a year and a half for the NCMB to give him a VERY LIGHT disciplinary action in the form of a Public Letter of Concern, why so late and why so light?**

Licensee

5/11/09 Public Letter of Concern for pleading guilty for getting caught patronizing a Charlotte Escort Service.

**\*\*\*So much for professional misconduct, would a reprimand have been more appropriate?**

Licensee

Yadkinville

2005 wrote for controlled Rx's in the name of his children, forged them in the name of another physician and had been taking hydrocodone from his orthopedist, entered *NCPHP who did not believe he had a substance abuse problem.*

1/2006 Indefinite suspension/immediately stayed with requirement for surrender of DEA license.

2006 arrested/leading to felony conviction Re; obtaining controlled substances.

7/2/09 Consent Order/Public Letter of Concern for felony conviction on obtaining controlled substance by misrepresentation, fraud, deception, and subterfuge.

**\*\*\*Who was paid how much??? The NCPHP-“ *did not believe he had a substance abuse problem...*”. Then there's the NCMB; he had a **FELONY CONVICTION** which would have lead to indefinite suspension and being out of practice for several years! Where/when did he go to residential addiction treatment? This is **VERY LIGHT** discipline! It must have cost this poor guy a fortune to pay all of these people off, I should send him a sympathy card! He's still practicing. Does he have the NCPHP & NCMB on retainer for his addiction?**

1/2/14

Licensee

Gastonia NC

1/2/14 Consent Order/Reprimand/4 month suspension-immediately stayed/\$3K fine for giving phentermine from his clinic to his step-daughter and her husband who are also all physicians.

**\*\*\*No word on what happened to the other 2 physicians, perhaps they are not located in NC. Doctors treat family members all the time, these are not addicting medications, but it makes the NCMB look like it's “doing something” in terms of disciplining physicians (although in an unnecessary manner, it IS highly profitable for them).**

2/20/14

Licensee

Fayetteville NC

Consent Order/indefinite suspension

6/22/10 Consent order/reprimand/CME Re; prescribing controlled substances and treatment of family members

3/2/13 Guilty to domestic battery, during the investigation into the arrest, NCMB learned that he had continued to write controlled substances to family members without maintaining medical records using his licenses while in NV & SD where he was also licensed



9/17/13 DUI arrest

10/21/13 signed NPA until cleared by NCPHP

**\*\*\*Will probably become another “lost soul” unless intervention is made by Auditor/FBI or other such agency.**

5/5/14

Licensee

Waxhaw NC

Reprimand for prescribing controlled substances to staff members then diverting them to self, 4 patients care fell below the standard of care per expert review.

**\*\*\*This would have caused her to lose her license for years or permanently in the past; she either has connections or the NCMB is becoming more lenient and reasonable. What about restitution or correction for the numerous physicians who have been unjustly maligned—or does she just know somebody?**

6/19/14

Licensee

Davidson NC

Consent Order/6 month suspension for prescribing controlled substances to close family members, his pet and inadequate care of patients on review of charts A-E by an independent examiner

**\*\*\*6 months out of work for something that is NOT an uncommon practice—unless you’re unlucky enough to be caught and a first offense at that. Wouldn’t a letter or reprimand for a 1<sup>st</sup> offense, with mandated CME on the subject be more reasonable?**

6/6/14

Licensee

Clinton NC

Consent Order/Indefinite suspension

22 counts of obtaining controlled substances by prescribing them to an associate who split medications with him. He then self-referred to NCPHP and went into treatment

**\*\*\*Yet another case in which the NCPHP does nothing, there’s no mention of what the treating facility recommends for this practitioner.**

9/23/14

Licensee

Surf City NC

Indefinite suspension, \$5K fine, may apply for reinstatement in 1 year

Threw a water bottle at his wife during an argument, police

incarcerated/investigated, found anabolic steroids in his personal belongings with guns and \$22K, Dr. Han then went to stay with a female patient for a few nights who gave him some of her Suboxone for his opiate withdrawal symptoms

**\*\*\*Yet no referral to NCPHP, further evaluation etc as mandated by NCGS 90.**

