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Licensure Statistics

Doctors of Osteopathy	567
Medical Doctors	13,846
TOTAL	<u>14,413</u>
Physician Assistants	542
Respiratory Care Practitioners	2,379
Cardiovascular Invasive Specialists	0
Anesthesiologist Assistants	10
Acupuncturists	81
Grand Total	<u>17,425</u>

The President's Message



It is a privilege, not a right to practice medicine in South Carolina. Too often we take our enviable regulatory process for granted. The cooperation of Labor, Licensing and Regulation

(LLR), the SCMA, and various professional associations were integral to the passing of the Medical Practice Act in June 2006. The effort was consummated by a receptive, intuitive legislature and endorsed by our esteemed, pro-healthcare governor. The Board of Medical Examiners was especially grateful for the many facets of

the bill in which our General Assembly deferred to the Board's insight and recommendations. The strong bi-partisan support was received as a vote of confidence in the Board's mission and construct. Noteworthy is the fact that the historical disciplinary process and composition of the Board remains essentially intact. The Board does respect the transition towards additional lay representation. We are pleased to report that through the reorganizational insight of LLR Director Adrienne Riggins Youmans, and the diligence of the Office of General Counsel and Office of Investigation and Enforcement, in 2006 the Board was able to close more cases than it received in the form of initial complaints. There exists a mutual

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Major Revisions to Medical Practice Act

Effective June 9, 2006, many changes were enacted with passage of S 881, which overhauled the State's Medical Practice Act. Among the most significant changes were the following:

- Medical Disciplinary Commission physician members are now appointed by the Board of Medical Examiners;
- An individual renewing an expired license within one year of the previous authorized

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Board Members

**Louis E. Costa, II, D.M.D., M.D.,
President**
Gubernatorial At-Large Member
1st Term - 5/9/95 thru 12/31/98
2nd Term - 1/1/99 thru 12/31/02

**Stephen R. Gardner, M.D.,
Vice President**
4th District Member
1st Term - 1/1/02 thru 12/31/05
2nd Term - 1/1/06 thru 12/31/09

Satish M. Prabhu, M.D., Secretary
2nd District Member
1st Term - 1/1/01 thru 12/31/04
2nd Term - 1/1/05 thru 12/31/08

John David deHoll, M.D.
3rd District Member
1st Term - 1/1/06 thru 12/31/09

James Leonard Hubbard, D.O.
5th District Member
1st Term - 1/1/2005 thru 12/31/08

Sompong Kraikit, M.D.
6th District Member
1st Term - 1/1/04 thru 12/31/07

Donald W. Tice, D.O.
Osteopathic At-Large Member
1st Term - 1/1/05 thru 12/31/08

Jackie D. Black
Gubernatorial Lay Member
1st Term - 6/30/02 thru 6/30/06

Jim C. Chow, M.D.
Elected-At-Large Member
1st Term - 1/1/06 - 12/31/09

William M. Simpson, Jr., M.D.
1st District member
1st Term - 12/31/03 - 12/31/07 (appt.
9/15/06)

Board Staff

The administrative staff of the South Carolina Department of Labor, Licensing and Regulation provides support to the Board. The staff may be reached at (803) 896-4500 or by e-mail: medboard@llr.sc.gov.

- Bruce Duke, Administrator
- Melissa Fulton, Assistant to the Administrator
- Annette Disher, Assistant Administrator for Licensing, Cardiovascular Invasive Specialists (CIS) Licensure
- Kathy Combs, Data Coordinator, Listing Requests
- Brenda Eason, Physician Assistant and Respiratory Care Licensure
- Donna Howard, Licensure for M.D., D.O., Anesthesiologist's Assistant
- Thalia Miller, Compliance and Freedom of Information Act Requests
- Theresa Richardson, Limited/Volunteer Licenses and Reactivation
- Kathryn Spires, Licensure Verifications
- Michael Rowland, Acupuncture Licensure



Continued Competency Required to Renew S.C. Medical License

The 2007-2009 biennial renewal of your S.C. medical license will begin on May 1, 2007. Licenses will be renewed online again next year. Online renewal of your license is fast, easy and available anytime of the day or night FREE of charge.



Section 40-47-40 of the Medical Practice Act requires that you document continued competency during the last two consecutive calendar years prior to renewal of your license. The Board will ask on your next renewal, "Do you have documented evidence of continued competency during the last two consecutive calendar years prior to this renewal"? **If you cannot truthfully, accurately and completely answer that you have documented continued competency, your license will not be renewed, and your license will be "Lapsed" with the Board until you have satisfactorily met the competency requirements.**

Visit the Board's Web site at www.llr.state.sc.us/pol/medical to review the Medical Practice Act and to review the competency requirements. A random audit will be conducted at the end of the renewal period, and if you are unable to provide written documentation, a sanction will be imposed.

The deadline for obtaining continued competency for the 2007-2009 biennial renewal was December 31, 2006. If you cannot document continued competency during the last two consecutive calendar years, your South Carolina Medical License will not be renewed.

Specific details on how you can obtain continued competency requirements are available on the Board's Web site.

Licensee Listing Available

The South Carolina Medical Board no longer publishes a directory of licensees. However, you may still find the information by visiting the Medical Board's Web site at www.llr.state.sc.us/pol/medical. To request a listing for licensees, click on the *application and forms* link. The listing includes all Medical/Osteopathic Physicians, Physician Assistants, Respiratory Care Practitioners and Acupuncturists. The cost per listing is \$30 or a complete listing of all licensees is \$50.

The list contains the licensee's practice address, practice telephone number, license issue and expiration date and board specialty (if applicable).

Disciplinary Actions January – December, 2006

The disciplinary actions listed below are summaries of Board Final orders. For a copy of the complete order, go to www.llr.state.sc.us/POL/Medical/index.asp?file=BdActions.htm.

Respondent/Location	Action/Date	Violation	Board Action
Bailey, Carl Thomas, M.D. Fairplay, SC	Final Order September 22, 2006	Sexual Misconduct/Boundary Issues	Indefinite Suspension– immediately stayed with conditions
Bertleson, Douglas E.,M.D. Pasadena, CA	Final Order June 7, 2006	Revoked in California/False information submitted on application re significant practice issues/Incompetence	Revoked
Chandler, Michael K., M.D. Florence, SC	Final Order December 7, 2006	Violation of Final Order	Indefinite Suspension-immediately stayed with conditions
Clothier, Robert F., R.C.P. Greenville, SC	Final Order June 20, 2006	Incompetence	Revoked
Conway, Tara J., R.C.P. Ninety Six, SC	Final Order June 20, 2006	Unprofessional Conduct/Theft of patient information/Criminal Conviction	Suspended-immediately stayed and probation
Dhar, Jyotsna K., M.D. Hampton, SC	Final Order December 7, 2006	Controlled substance violation	Public Reprimand with conditions
Ewens, Joseph D., M.D. Summerville, SC	Final Order December 7, 2006	Unlawfully obtained controlled substance	Public Reprimand with conditions
Fitz, Jeffrey O. , R.C.P. Greer, SC	Final Order September 22, 2006	Personal Incapacity	Conditions
Floyd, James L., Jr., M.D. Conway, SC	Final Order December 7, 2006	Personal Incapacity	Indefinite Suspension - immediately stayed with conditions
Glisson, Brenton D., M.D. Seneca, SC	Final Order June 7, 2006	Sexual Misconduct/Boundary Issues	Revoked
Haddon, W. Scott, M.D. Raleigh, NC	Final Order February 22, 2006	Unethical conduct/Domestic behavior Issues	Public Reprimand with conditions
Herrin, Michael K., M.D. Murrells Inlet, SC	Final Order June 20, 2006	Violation of Final Order	Public reprimand with conditions
Javed, Tahir Ali, M.D. location unknown	Final Order April 3, 2006	Incompetence	Revoked
Jenkinson, Victor O., R.C.P. Greenville, SC	Final Order August 22, 2006	Unethical Conduct/Violation of workplace policies	Public Reprimand
King, John E., M.D. Myrtle Beach, SC	Final Order February 21, 2006	Unprofessional Conduct/Incompetence	Suspended-immediately stayed with conditions
Lorick, Hugh T., M.D. Lexington, SC	Final Order June 7, 2006	Unlawful Distribution of Controlled Substance	Suspended-immediately stayed with conditions
Lucas, Charles A., M.D. Charleston, SC	Final Order February 21, 2006	Sexual Misconduct/Boundary Issues	Indefinite Suspension with conditions
Lyman, Frank L., M.D. Columbia, SC	Final Order June 20, 2006	Unlawfully obtained controlled substance	Public Reprimand with conditions
McGinley, Kent Michael, M.D. Georgetown, SC	Final Order June 29, 2006	Unlawfully obtained controlled substance	Public Reprimand with conditions
McRee, John B., M.D. North Augusta, SC	Final Order September 29, 2006	Personal Incapacity	Indefinite Suspension- immediately stayed with conditions

Physician Assistants:

Expanding Authority to Meet Growing Health Needs of South Carolinians

Physician Assistants in South Carolina are now eligible to request prescriptive authority for controlled substances in schedules III through V from the Board of Medical Examiners.

Prior to submitting a request to the Board, a Physician Assistant (PA) must complete additional CME requirements, register with the S.C. Department of Health and Environmental Control, Bureau of Drug Control, and register with the Drug Enforcement Agency.

Numerous state physician assistants, physicians, physician assistant educators, and members of the Board of Medical Examiners were involved in the drafting of the new PA Practice Act. As part of the initial expansion, Physician Assistants must provide the Board with documentation of at least 15 Category I CME hours related to appropriate prescribing of controlled substances acceptable to the Board. Thereafter, to maintain expanded prescriptive authority, each PA must obtain an additional four Category I CME hours related to appropriate prescribing of controlled substances every two years upon renewal. The Medical University of South Carolina (MUSC) is currently offering a course to meet the CME requirement. For more information on this course, you may contact MUSC at www.musc.edu/chp/pa/pa_cme/pac.htm. The application and a detailed description of the expanded prescriptive authority is available online at www.LLR.state.sc.us/POL/medical.

In addition to expanded prescriptive authority, Physician Assistants are eligible for a temporary license prior to the personal interview. Temporary licenses are issued for up to 90 days. The Physician Assistant and his/her supervising physician must contact a Board member or Board designee for the personal interview within the 90-day temporary period. Temporary licenses cannot be extended or renewed. A Physician Assistant with a temporary license is not eligible for prescriptive authority.

The Board of Medical Examiners is confident that these recent regulatory changes will both enhance the quality and increase the access of health care services for South Carolinians.



Disciplinary Actions January – December, 2006

Respondent/Location	Action/Date	Violation	Board Action
Mickel, Reginald T., R.C.P. Columbia, SC	Final Order December 7, 2006	Personal Incapacity	Indefinite Suspension-immediately stayed with conditions
Moore, John P., III, M.D. Dayton, OH	Final Order June 7, 2006	Convicted of Felony	Suspended with conditions
Shortt, James Michael, M.D. West Columbia, SC	Final Order May 23, 2006	Convicted of Felony/Unlawful distribution of controlled substance	Revoked
Upshaw, Thomas A., M.D. Charleston, SC	Final Order September 22, 2006	Violation of Final Order	Indefinite Suspension with conditions
Vetro, Sam Wayne, M.D. Little River, SC	Final Order February 22, 2006	Personal Incapacity/Repeated Violations	Revoked
Walls, Allan C., M.D. Columbia, SC	Final Order June 19, 2006	Unlawfully obtained prescriptions for controlled substances	Revoked
Walter, Gregory W., M.D. Albany, GA	Final Order February 22, 2006	Convicted of Felony	Suspended- immediately stayed with conditions
Yates, Clifton, M.D. Orangeburg, SC	Final Order June 20, 2006	Violation of Final Order	Public Reprimand with conditions

New Law Requires Credentials Verification



The State Board of Medical Examiners Medical Practice Act passed in May 2006 requires all applicants applying for a permanent license to practice medicine in South Carolina to provide primary source verifica-

tion. The complete Medical Practice Act is on the Board's Web site at www.llr.state.sc.us/pol/medical.

The new Medical Practice Act requires primary source verification of an applicant's identity, medical education, postgraduate training, licensure examination history, disciplinary history, and other core information required for licensure be provided through an independent credentials verification organization. The Board has approved the Federation of State Medical Board's Federation Credentials Verification Services (FCVS) to provide primary source verification of all applicant credentials. FCVS obtains primary source verification of medical education, post graduate training, examination history, Board action history, Board certification and identity. This repository of information allows a physician and/or physician assistant to establish a confidential, life-time professional portfolio of primary-source verified credentials – allowing

quick, easy and inexpensive access to medical credentials. These documents can be used throughout the applicant's career for state licensure, hospital privileges, employment and professional memberships. For physicians, this service is extremely valuable for those graduating from medical schools outside the U.S. or Canada, where verification is often time consuming, costly and difficult. At the physician's request, the FCVS can be forwarded to any state medical board that has established an agreement with FCVS, hospital, health care or other entity.

Utilizing the FCVS eliminates applicants from having to bring the originals of their credentials when interviewing with a member of the Board for a permanent license.

Contact information and application to have a FCVS sent to the Board should be directed to the Federation Credentials Verification Services (FCVS) at P.O. Box 619851, Dallas, TX 75261-9850, telephone (888) 275-3287 or e-mail fcvs@fsmb.org.

Current application and information for a permanent South Carolina Medical license was updated on the Board's Web site at www.llr.state.sc.us/pol/medical on October 16, 2006. As of December 1, 2006, all physicians applying for a permanent South Carolina Medical License are required to utilize the FCVS. Only a current application with FCVS will be accepted by the Board.

Free | Issue

OSHAgram

Learn About S.C. OSHAgram

The S.C. OSHA Subscription Service is designed to keep employers, employees and other interested persons up to date with the activities of state and federal OSHA. For an annual fee of \$25, subscribers receive the S.C. OSHAgram, a newsletter that covers changes in federal and state occupational safety and health laws in South Carolina. Subscribers also receive the most current information on new and revised OSHA standards and other information pertinent to occupational safety and health in South Carolina.

Subscribe to OSHAgram at <https://verify.llronline.com/OSHAgram/Main.aspx>

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The S.C. OSHAGRAM

The S.C. OSHAGRAM is published at least three times a year (with special editions published on an irregular basis). The newsletter reports on the activities of state and federal OSHA. It covers proposed, new and revised standards and other activities of the South Carolina Department of Labor, Licensing and Regulation (LLR) that affect the safety and health of workers in the state.

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inter- and intra-agency respect which is functionally efficient and just. We have a venue in organized medicine where the medical doctors are still entrusted to do what is best for medicine and the healthcare consuming public, the value of which cannot be overstated. South Carolina is literally the only state in the country in which the constituent licensees elect the majority of the regulatory board members. The trust and confidence that our legislative and executive branches have bestowed should not be taken for granted. The continued success of this privilege is predicated upon manifest responsibility. In this context, we have been given the statutory right to elect Medical Disciplinary Commission

members from a slate of our peers. Regretfully, fifteen of thirty-six seats remain open despite published notices from the Board. The opportunity we have is one that I believe is poorly appreciated. Our future ability to maintain a pivotal role in regulating medicine will depend on our corporate effort and shared responsibility. We know all too well what happens when we defer medical issues to non-medical entities. Let's not lose this one. The Board asks you personally to consider, and encourage colleagues, to help fill the vacancies. It is indeed a privilege... if we don't use it, we will lose it. Let's maintain the trust and confidence that has been wisely afforded us.

Louis Costa, II, D.M.D., M.D.

President, South Carolina State Board of Medical Examiners

Major Revisions to Medical Practice Act ~ continued from page 1



period must pay a late fee of \$100 for any part of each month during which the license lapsed; and

If unauthorized practice occurred following the expiration of the previous renewal period, a penalty of \$1,000 must

be imposed for any portion of each month in which unauthorized practice occurred.

• The Board may require a licensee, who is found to have violated the Medical Practice Act, to pay a fine of up to \$25,000 and the costs associated with investigations and hearings.

• The name of an initial complainant must be provided to the licensee who is the subject of the complaint, unless the Board determines there is good cause to withhold that information.

The Formal Complaint and an Answer must be available for public inspection and copying 10 days after an Answer is filed, or if no Answer is filed, 10 days after the expiration of the time to answer.

The full text of the Medical Practice Act, and the Board's regulations and policies can be found on the Board's Web site at www.llr.state.sc.us/pol/medical/.

Workplace Law Posters Now Online



The S.C. Department of Labor, Licensing and Regulation is no longer printing the all-in-one poster of required employment notices. Those posters can now be obtained on LLR's Web site at www.llr.state.sc.us.

The posters you will need to download are:

- The Department of Labor, Licensing and Regulation's OSHA (Occupational Safety and Health) and Labor Law Abstract (Payment of Wages, Child Labor, Right-to-Work)
- The S.C. Employment Security Commission's "Workers Pay No Part of the Cost for Job Insurance" (UCI 104) and "If You Become Unemployed (UCI 105)
- The S.C. Workers' Compensation Commission's "Workers Comp Works For You"
- The S.C. Human Affairs Commission's "Equal Opportunity is the Law"

Currently, the all-in-one poster is available in printed format from the following agencies:

- S.C. Employment Security Commission, (803) 737-2474
- S.C. Human Affairs, (803) 737-7800 or 1-800-521-0725
- S.C. Workers' Compensation Commission, (803) 737-5700

Synergy Business Park, Kingstree Building
110 Centerview Drive, Suite 202
Post Office Box 11289
Columbia, S.C. 29211-1289

Online Services

Many of our services are available online 24 hours a day, seven days per week at www.llr.state.sc.us/pol/Medical for:

- License Verification Requests
- Online Renewals
- Disciplinary Actions
- Change of Address
- Check of Application Status
- Licensee Lookup

