



The Examiner

A Newsletter of the South Carolina Board of Medical Examiners September 2003

This issue contains new information that may directly affect your practice!

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Pre-signed Blank Prescriptions Unlawful

The act of a physician pre-signing blank prescriptions as a “time saver” or as a “convenience to staff” is not only unlawful, but can lead to criminal actions by others and result in sanctions against the physician’s medical license. Section 44-53-395 of the S.C. Code of Laws, as amended, states in part, “(A) *It shall be unlawful: (1) for any practitioner to issue any prescription document signed in blank. The issuance of such document signed in blank shall be prima facie evidence of a conspiracy to violate this section.*”

A recent investigation conducted by the Medical Board revealed that a physician issued pre-signed blank prescriptions in his office and that an employee used the prescriptions to obtain drugs by fraud to further an addiction. The results of criminal activity by the employee and possible licensure sanction of the physician could not be justified to be either time saving or convenience.

DHEC Bureau of Drug Control Announces New Controlled Substance Regulation



Amendments to the S.C. Controlled Substances Regulation, effective June 27, 2003, repealed the notice of intent requirement to prescribe and dispense methadone for pain management.

Methadone may now be prescribed and dispensed as any other schedule II controlled substance for pain management. The physician is no longer required to send a notice of intent to prescribe methadone to DHEC and the pharmacy that will fill the prescriptions. The physician is only required to substantiate the use of methadone in the patient record and to make such records available to DHEC upon request.

The amendments also increased the annual South Carolina Controlled Substances Registration fee for pharmacies and practitioners from \$100 to \$125, and for hospitals and methadone clinics from \$275 to \$325.

Amendments to the S.C. Controlled Substances Act, effective September 26, 2002, now permit the prescribing and dispensing of up to a 31-day supply of a controlled substance, regardless of the dosage. Previously, prescriptions were limited to a 31-day supply or 124 dosage units, whichever the lesser quantity. Note: There are no quantity limitations for trans-dermal patches.

See *Controlled Substance Reugulation Continued on page 10*



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Board Members

President

3rd Congressional District

Roger A. Ray, M.D.

Anderson Area Medical Center
800 North Fant Street, Anderson, S.C.,
29621

FIRST TERM: 1/1/98 - 12/31/2001

SECOND TERM: 1/1/02 - 12/31/05

Vice-President

2nd Congressional District

Satish M. Prabhu, M.D.

Critical Health Systems

1410 Blanding Street #1

Columbia, S.C. 29201

FIRST TERM: 1/1/01 - 12/31/04

Secretary

Osteopathic, Elected-At-Large

Timothy J. Kowalski, D.O.

William S. Hall Psychiatric Institute,

P.O. Box 202, Cottage C

Columbia, S.C. 29202

FIRST TERM: 1/1/97 - 12/31/00

SECOND TERM: 1/1/01 - 12/31/04

1st Congressional District

Robert H. Bowles, M.D.

Parkwood Orthopedic Clinic

1249 Savannah Hwy, Charleston, S.C., 29407

FIRST TERM: 1/1/00 - 12/31/03

2nd Congressional District

Satish M. Prabhu, M.D.

Critical Health Systems

1410 Blanding Street #1

Columbia, S.C. 29201

FIRST TERM: 1/1/01 - 12/31/04

4th Congressional District

Stephen R. Gardner, M.D.

Southeastern Neurological & Spine

Institute, P.A.

20 Medical Ridge Drive

Greenville, S.C., 29605

FIRST TERM: 1/1/02- 12/31/05

5th Congressional District

Albert G. Leroy, Jr., M.D.

Carolina Urology Center, P.A.

1780 Medical Park Drive

Rock Hill, S.C. 29732

FIRST TERM 7/24/03 - 12/31/04

Elected At-Large Member

Donald G. Gregg, M.D.

Greenville Memorial Medical Center

Emergency Room

Greenville, S.C. 29605

FIRST TERM: 1/1/02 - 12/31/05

Gubernatorial At-Large Member

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

Southeastern Facial Plastic Surgery

247 Calhoun Street, Charleston, S.C., 29401

FIRST TERM: 5/9/95 - 12/31/98

SECOND TERM: 1/1/99 - 12/31/02

Gubernatorial Lay Member

Susan C. Reynolds

c/o Alley Cat

2222 Augusta Street, Greenville, S.C. 29605

FIRST TERM: 5/9/00 - 6/30/02

Board Staff

Board Administrator

John D. Volmer

Administrative Assistant to the Board

Administrator

Carole Chauvin

Assistant Administrator, Licensing

Annette Disher

USMLE Exams and Limited

Licenses/Anesthesiologist's Assistant

Licensing

Donna Howard

Physician Assistant / Respiratory Care

Licensing

Brenda Eason

Acupuncturist Permits

Annette Disher

Assistant Administrator, Records and

Compliance

Karen Newton

Assistant Administrator, Investigations

Henry Morgan

Licensure Verifications/Receptionist

Patt Browy

Data Coordinator

Kathy Combs

Board Elects New Officers

At its October 2002 meeting, the Board of Medical Examiners elected the following officers for 2003:

Roger A. Ray, M.D., a neurologist in Anderson, president;

Satish M. Prabhu, M.D., an anesthesiologist in Columbia, vice president;

Timothy J. Kowalski, D.O., a child and adolescent psychiatrist in Columbia, secretary.

The Board is required to elect new officers annually, and while no officer term limits exist, officers usually serve terms of one or two years.

New Board Member Elected from Fifth Congressional District

Albert G. Leroy, Jr., M.D., a board-certified urologist from Rock Hill, has been elected by his peers to represent the 5th Congressional District on the Board of Medical Examiners. Dr. Leroy was appointed by Governor Mark Sanford to serve as a voting member of the Board. He fills the position left vacant by the resignation of Dr. Jerry E. Jackson of Sumter. Other candidates in the election process were **Otis D. Speight, M.D.** of Fort Mill and **Gary R. Culbertson, M.D.** of Sumter. Dr. Leroy's interim appointment must be approved by the Senate.

Message To Physicians Who Employ Nurses

Periodically the Board of Nursing notifies physicians that they have an unlicensed nurse in their employ. This is usually the result of the nurse failing to renew a nursing license on time, thus being unlicensed until the renewal is complete. This unlicensed period has ranged from 10 days to over 300 days.

It is the responsibility of a physician to ensure that a nurse in his/her employ performing a delegated task requiring professional licensure is currently licensed by the Board of Nursing. It is likewise the responsibility of the nurse to renew a license within the time period designated by law.

Board Adopts Guidelines for Respiratory Care Practitioners



At the February 2003 meeting of the Medical Board, the following guidelines were adopted on recommendation of the Respiratory Care Committee for

respiratory care practitioners functioning as Extracorporeal Membrane Oxygenation (ECMO) Specialists:

Guidelines for Respiratory Care Practitioners Functioning as ECMO Specialists

Extracorporeal Membrane Oxygenation (ECMO) is a cardiopulmonary bypass technique used for the treatment of life threatening cardiac or respiratory failure applied for periods of greater than eight hours outside the operating room environment. ECMO Specialists are specially trained technical assistants who, under the direction of a licensed physician, manage the ECMO system (blood

pump, tubing, artificial oxygenator, and related equipment, as well as pertinent maintenance and emergency procedures) and the clinical needs of the patient while on ECMO (such as maintenance of normal acid-base balance, oxygenation and ventilation, anti-coagulation) in ECMO Centers. ECMO centers generally follow the Extracorporeal Life Support Organization's document entitled *Guidelines for Neonatal ECMO Centers*, which details institutional and personnel requirements for ECMO programs.

The Board of Medical Examiners and Respiratory Care Committee recognize that the performance of tasks in ECMO centers or programs under the direction of licensed physicians is within the scope of professional practice for respiratory care practitioners, among other licensed professionals, provided that the individual licensed respiratory care practitioner is additionally qualified by special training and experience to perform

assigned tasks as part of the ECMO team. Special training and experience include, at a minimum, (1) not less than two years of critical care experience (NICU or PICU preferred) while licensed as a respiratory care practitioner, (2) successful completion of an ECMO specialist training course that is consistent with the Extracorporeal Life Support Organization's document entitled *Guidelines for Training and Continuing Education of Neonatal ECMO Specialists* (the *ELSO Guidelines*), and (3) documentation of competency to perform ECMO, including training and continuing education. It is presumed that each ECMO center will develop its own institution specific guidelines and policies for training ECMO Specialists, which may vary from the *ELSO Guidelines* to the extent appropriate for the individual ECMO center.

Board Extends Disaster Preparedness Response



In February 2002, the Board of Medical Examiners adopted a policy regarding physicians, physician assistants, respiratory care practitioners and anesthesiologist's assistants licensed out-of-state providing medical care in a disaster or medical emergency declared by the governor.

That policy utilized the *Southern Regional Emergency Management Compact* that was in effect June 4, 1996. The Board has now adopted the following as policy:

In July 2002 the *Homeland Security Act (Act 339 of 2002)* package was passed in South Carolina. This included *The Emergency Health Powers Act*. Section 44-4-570 of that Act addressed the licensing of out-of-state health care personnel during a declared state of

emergency. It essentially provides for the licensing boards, in coordination with DHEC and LLR, to prescribe the duties of out-of-state emergency health care providers and waive any or all licensing requirements and fees so they may provide immediate assistance during a declared state of emergency. A Memorandum of Understanding between LLR and DHEC allows utilization of out-of-state health care providers as may be necessary during a declared public health emergency or disaster. The previous policy utilizing the *Southern Regional Emergency Management Compact* is superseded by the current *Emergency Health Powers Act*. This new law allows the pool of available resources to be expanded beyond the regional member states by allowing health care providers from any state to assist in South Carolina in a declared public health emergency.

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the web!

[www.llr.state.sc.us/
pol/medical](http://www.llr.state.sc.us/pol/medical)





South Carolina Department of Labor, Licensing and Regulation Board Of Medical Examiners

Final Orders and Other Actions May 3, 2002 to present

Name Unpublished

Consent Order
May 3, 2002
Practiced respiratory care without a license. (*Private Reprimand and \$25 fine.*)

Whitley, William H., D.O.

Orangeburg, SC
Final Order
May 17, 2002
Called in prescriptions in the name of his nurse for his own use and called in prescriptions for himself without the knowledge or consent of the doctor supposedly prescribing the medicine. (*Public Reprimand, \$5,000 fine, \$85.55 costs, and terms and conditions on license.*)

Campbell, Treadwell, M.D.

Mullins, SC
Final Order
May 17, 2002
Practiced excessive amounts of controlled substances to patients; failed to keep written medical records justifying the course of treatment; treated patients without medical justification; failed to treat patients addicted to controlled substances; and failed to apply and advance scientific knowledge and make relevant information available to patients and colleagues. (*Public Reprimand, \$3,000 fine, \$9,062.84 costs, and terms and conditions on license.*)

Name Unpublished

Final Order
May 17, 2002
Used a false or fraudulent statement in a document connected with the practice of medicine. (*Private Reprimand, \$1,000 fine and \$68.80 costs.*)

Name Unpublished

Final Order
May 17, 2002 (*Case dismissed.*)

Name Unpublished

Order
May 17, 2002
(*Must remain under terms and conditions of previous Private Agreement.*)

Name Unpublished

Final Order
May 17, 2002 (*Case dismissed.*)

Name Unpublished

Consent Order
June 4, 2002
Practiced respiratory care without a license. (*Private Reprimand and \$50 fine.*)

Kreutner, A. Karen, M.D.

Charleston, SC
Final Order
November 21, 2001
Effective June 26, 2002
Did not provide competent medical service with compassion and human dignity and failed to properly diagnose and treat a patient's 20-23 week pregnancy. (*Public reprimand, \$5,000 fine, \$7,123.07 costs, and terms and conditions on license.*)

Name Unpublished

Consent Order
July 18, 2002
Practiced medicine after limited license had expired. (*Private Reprimand and \$250 fine.*)

Mozzillo, James J., M.D.

Plainfield, IN
Agreement to Relinquish License to Practice Medicine
July 22, 2002
(*Relinquished forevermore his right to practice medicine in South Carolina.*)

Name Unpublished

Consent Order
July 29, 2002
Practiced respiratory care without a license. (*Private Reprimand and \$25 fine.*)

Name Unpublished

Final Order
July 30, 2002
Over-prescribed and prescribed controlled substances without a valid, documented and justifiable medical reason for one patient. (*Private Reprimand, \$500 fine, and license placed on inactive status with requirements for reactivation.*)

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McFarland, Marion F., M.D.

Columbia, SC

Order of Temporary Suspension

August 16, 2002

Physician's addiction to drugs or alcohol to such a degree as to render him unfit to practice medicine constitutes a serious threat to the public health, safety, or welfare. (*License to practice medicine in this State is temporarily suspended.*)

Name Unpublished

Private Reprimand

August 14, 2002

Failed to provide appropriate post operation medication management in a single surgical case. (*Private reprimand and \$2,598.72 costs.*)

Name Unpublished

Private Reprimand

August 14, 2002

Knowingly provided a nurse with signed blank prescription forms. (*Private reprimand, \$500. fine and \$688.61 costs.*)

Frankel, Alan T., M.D.

Spartanburg, SC

Final Order

August 14, 2002

Engaged in dishonorable, unethical, or unprofessional conduct that is likely to deceive, defraud, or harm the public, as evidenced by his writing prescriptions for OxyContin, a Schedule II controlled substance, and other drugs, in the names of others, and obtaining these drugs for his own use. (*License suspended. Suspension stayed under terms and conditions.*)

Upshaw, Thomas A., M.D.

N. Charleston, SC

Final Order

August 14, 2002

Did not provide medical service with compassion and respect for human dignity and engaged in unprofessional conduct that is likely to deceive, or harm the public, as evidenced by his inappropriate comments to and inappropriate touching of his patient. (*License suspended. Suspension stayed under terms and conditions. \$5000. fine and \$168.23 costs.*)

Walter, Gregory, M.D.

Albany, GA

Final Order

August 14, 2002

Inappropriately prescribed controlled substances for a family member. (*Public reprimand and \$1,000 fine.*)

Vickers, Johnathan C., RCP

Easley, SC

Public Reprimand

August 14, 2002

Used a false or fraudulent statement in a document connected with the practice of respiratory care, as evidenced by his failure to report his past criminal history on his SC applications for temporary and permanent licensure. (*Public reprimand, \$250. fine and \$25. costs.*)

Gelders, William K., M.D.

Spartanburg, SC

Final Order

August 23, 2002

Failed to provide competent medical service with compassion and respect for human dignity, failed to respect the law, and has engaged in dishonorable, unethical, and unprofessional conduct that is likely to deceive, defraud or harm the public, as evidenced by his frequent prescribing of excessive amounts of controlled substances to patients in high dosages, with inadequate records to justify the use of such high dosages, treating patients without medical justification, and by his failure to apply the level of skill recognized by a reasonable prudent physician as being acceptable under similar conditions and circumstances. (*License to practice medicine in South Carolina is revoked.*)

Kirkland, Larry R., Jr., M.D.

Greenville, SC

Final Order

August 23, 2002

Failed to provide competent medical service with compassion and respect for human dignity, is guilty of engaging in dishonorable, unethical or unprofessional conduct that is likely to deceive, defraud or harm the public and is addicted to alcohol and/or drugs to such a degree as to render him unfit to practice medicine. (*License to practice medicine is revoked.*)

Hayes, Joseph S., M.D.

Johnson City, TN

Final Order

August 23, 2002

Physician failed to provide competent medical service with compassion and respect for human dignity, failed to respect the law, failed to respect the rights of his patients, and is guilty of engaging in dishonorable, unethical or unprofessional conduct that is likely to harm the public, as evidenced by his plea of nolo contendere to three misdemeanor charges of assault by offensive touching in cases where the victims were former patients. (*License indefinitely suspended with terms and conditions to petition for reinstatement.*)

Continued on page 6





Ross, Peter Cromwell, M.D.

Anderson, SC
Order of Temporary Suspension
September 12, 2002
Physician's addiction to drugs or alcohol to such a degree as to render him unfit to practice medicine constitutes a serious threat to the public health, safety, or welfare. *(License to practice medicine in this State is temporarily suspended.)*

Mann, Steven A., M.D.

Macon, GA
Order of Temporary Suspension
October 7, 2002
Physician's addiction to drugs or alcohol to such a degree as to render him unfit to practice medicine constitutes a serious threat to the public health, safety, or welfare. *(License to practice medicine in this State is temporarily suspended.)*

Guy, John L., M.D.

Anderson, SC
Order of Temporary Suspension
October 29, 2002
Physician entered a plea of guilty to an Information in Federal Court on One Count of Simple Possession of Didrex, a schedule III controlled substance. *(License to practice medicine in this State is temporarily suspended.)*

Bolt, William F., M.D.

Anderson, SC
Order of Temporary Suspension
October 29, 2002
Physician entered a plea of guilty to an Information in Federal Court on Five Counts of Simple Possession of Didrex, a schedule III controlled substance. *(License to practice medicine in this State is temporarily suspended.)*

Ayers, Bobbie F., Jr., M.D.

Charleston, SC
Final Order
November 16, 2002
Physician used a false, fraudulent, or forged statement or document in connection with a licensing requirement. *(Public reprimand, \$1,000 fine, and terms and conditions on license.)*

Rutherford, Robert D., M.D.

Key West, FL
Final Order
November 16, 2002
Physician used a false document in connection with a licensing requirement. *(Public reprimand, \$250 fine, and \$207.48 costs.)*

Name Unpublished

Consent Order
November 25, 2002
Practiced respiratory care without a license. *(Private Reprimand and \$25 fine.)*

Jansen, James C., RCP

Greenville, SC
Order of Temporary Suspension
August 27, 2002
Effective December 2, 2002
Licensee's professional incompetence and indulgence in alcohol constitute a serious threat to the public health, safety or welfare. *(License to practice respiratory care in this State is temporarily suspended.)*

Campbell, Treadwell, M.D.

Mullins, SC
Order
December 5, 2002
Motion partially granted. *(Administrative costs reduced to \$7,393.34.)*

McBarron, Janet, M.D.

Columbus, GA
Final Order
December 5, 2002
Supplied false information on 2000-2001 reregistration form. *(Public reprimand and \$5,000 fine.)*

Name Unpublished

Amended Order
December 5, 2002
(This amended private order shall replace the previous order of the Board and the matter shall be deemed private until the Board issues its final order.)

Name Unpublished

Final Order
December 5, 2002
Used a fraudulent prescription to obtain a controlled substance. *(Private reprimand, shall undergo psychoterapeutic and psychopharmacology treatment for at least 3 years, and \$1,000 fine.)*

Name Unpublished

Order of Continuance
December 5, 2002
(Case is remanded for a new hearing.)

Continued on page 7





Guy, John L., M.D.

Honea Path, SC

Interim Order of Reinstatement

December 19, 2002

(License to practice medicine temporarily reinstated with terms and conditions.)

Skinner, Paul B., M.D.

Greenville, SC

Order of Temporary Suspension December 19, 2002

Physician's addiction to drugs or alcohol to such a degree as to render him unfit to practice medicine constitutes a serious threat to the public health, safety, or welfare. *(License to practice medicine in this State is temporarily suspended.)*

Dorn, Marion Douglas, Jr., M.D.

Goose Creek, SC

Order of Temporary Suspension

January 7, 2003

Physician's addiction to drugs or alcohol to such a degree as to render him unfit to practice medicine constitutes a serious threat to the public health, safety, or welfare. *(License to practice medicine in this State is temporarily suspended.)*

Miller, Thomas R., RCP

Myrtle Beach, SC

Final Order

December 5, 2002

Effective January 13, 2003

Licensee is addicted to alcohol and/or drugs to such a degree as to render him unfit to practice respiratory care. *(License to practice respiratory care is revoked.)*

Name Unpublished

Consent Order

January 14, 2003

Practiced medicine after license had expired. *(Private Reprimand and \$70 fine.)*

Name Unpublished

Consent Order

January 16, 2003

Practiced medicine after license had expired. *(Private Reprimand and \$75 fine.)*

Name Unpublished

Consent Order

January 17, 2003

Practiced medicine after license had expired. *(Private Reprimand and \$80 fine.)*

Koon, David T., Sr., M.D.

Summerton, SC

Interim Order of Reinstatement

January 31, 2003

Effective January 8, 2003

(License to practice medicine temporarily reinstated with terms and conditions.)

Bolt, William F., M.D.

Anderson, SC

Agreement to Relinquish License to Practice Medicine

February 3, 2003

(Relinquished forevermore his right to practice medicine in South Carolina.)

Bruner, Allan P., M.D.

Sumter, SC

Final Order

February 4, 2003

Prescribed narcotics to a patient without valid documented medical justification. *(Public Reprimand, \$2500 fine, \$362.85 costs, and terms and conditions on license.)*

Madison, Shirley Ann, M.D.

Aiken, SC

Order of Continuance

February 10, 2003

(Request for reinstatement continued until sufficient information is received by the Board.)

Name Unpublished

Private Reprimand

February 10, 2003

Signed blank prescriptions to which a nurse was allowed access. *(Private Reprimand.)*

Name Unpublished

Private Reprimand

February 11, 2003

Refused to accept responsibility for the care of an intensive care patient based upon the patient's protective custody status. *(Private Reprimand.)*

Upshaw, Thomas A., M.D.

Mt. Pleasant, SC

Supplemental Final Order

February 12, 2003

Engaged in unprofessional conduct, as evidenced by his inappropriate comments to and inappropriate touching of his patient. *(Previously imposed sanctions remain in effect along with additional terms and conditions.)*

Continued on page 8





Glisson, Brenton D., M.D.

Pelzer, SC
Final Order
February 14, 2003

Engaged in dishonorable, unethical or unprofessional conduct, as evidenced by his fraudulent or dishonest response on his renewal application in SC and his application to practice medicine in the State of Florida. (*Public Reprimand, \$1,000 fine, \$2,137.03 costs, and terms and conditions on license.*)

Taylor, Richard M., D.O.

Reno, NV
Final Order
February 15, 2003

Is addicted to alcohol or drugs to such a degree as to render him unfit to practice medicine without conditions and has sustained a physical or mental disability which renders further practice dangerous to the public and has engaged in unethical or unprofessional conduct as evidenced by the closing of his office, not seeing scheduled patients, not being available to patients and not allowing patients access to their records for several weeks without notice or explanation. (*Public Reprimand, license indefinitely suspended, and \$432.23 costs.*)

Amaya, Felipe A., M.D.

Seneca, SC
Final Order
February 16, 2003

Physician has failed to deal honestly with patients and colleagues; failed to respect the rights of colleagues and engaged in dishonorable, unethical or unprofessional conduct that is likely to deceive, defraud, or harm the public, as evidenced by the disrespectful and unprofessional letters sent to a colleague and a representative of the Board, and by his denying having written the letter to the colleague; providing a false version of the letter to a representative of the Board, and the obscene, offensive, insulting and defamatory remarks in a letter sent to his former employer. (*Public Reprimand, \$5,000 fine, \$2,993.78 costs, and terms and conditions on license.*)

Donnan, Samuel B., Jr., RCP

Winnsboro, SC
Final Order
February 20, 2003

Respondent failed to respect the law as evidenced by his guilty plea to Criminal Domestic Violence; he did not deal honestly with colleagues and used a false statement or engaged in a fraudulent, deceitful, or dishonest act in connection with the certifying requirements in that he knowingly submitted deceitful or dishonest responses in his application for relicensing and his employment application; and he is addicted to alcohol and/or drugs to such a degree as to render him unfit to practice respiratory care. (*Public Reprimand, \$500 fine, \$2,791.84 costs, and terms and conditions on license.*)

Warren, Michael F., M.D.

Charleston, SC
Order of Temporary Suspension
February 27, 2003

Physician's conduct and alleged conduct, if true, constitutes a serious threat to the public health, safety, or welfare. (*License to practice medicine in this State is temporarily suspended.*)

Name Unpublished

Consent Order
February 25, 2003
Practiced respiratory care without a license. (*Private Reprimand and \$50 fine.*)

Name Unpublished

Consent Order
February 28, 2003
Made a false statement on 2002-2003 reregistration form concerning continuing education. (*Private Reprimand, \$75 fine and terms and conditions on license.*)

Alerre, Ricardo U., M.D.

Murrells Inlet, SC
Order of Temporary Suspension
March 10, 2003

Physician was found guilty in Federal Court to Conspiracy to Unlawfully Distribute or Dispense Schedule II, Schedule III and Schedule IV Controlled Substances. (*License to practice medicine in this State is temporarily suspended.*)

Devlin, Thomas P., D.O.

Myrtle Beach, SC
Order of Temporary Suspension
March 10, 2003

Physician entered a guilty plea in Federal Court to Conspiracy to Distribute and Distributing a Schedule III Controlled Substance. (*License to practice medicine in this State is temporarily suspended.*)

Bordeaux, Deborah S., M.D.

Florence, SC
Order of Temporary Suspension
March 10, 2003

Physician was found guilty in Federal Court to Conspiracy to Unlawfully Distribute or Dispense Schedule II, Schedule III and Schedule IV Controlled Substances. (*License to practice medicine in this State is temporarily suspended.*)

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**Jackson, Michael D., M.D.**

Auburn, AL
Order of Temporary Suspension
March 13, 2003
Physician was convicted in Federal Court to Conspiracy to Unlawfully Distribute or Dispense Schedule II, Schedule III and Schedule IV Controlled Substances. *(License to practice medicine in this State is temporarily suspended.)*

Pulivarthi, Venkataramanaiah, M.D.

Clover, SC
Order of Temporary Suspension
March 13, 2003
Physician entered a guilty plea in Federal Court to Conspiracy to Distribute and Distributing a Schedule IV Controlled Substance. *(License to practice medicine in this State is temporarily suspended.)*

Sutherland, Deborah S. B., M.D.

Florence, SC
Order of Temporary Suspension
March 13, 2003
Physician entered a guilty plea in Federal Court to Conspiracy to Distribute and Distributing a Schedule III Controlled Substance and Conspiracy to Launder Money With Intent to Promote the Unlawful Distribution of Controlled Substances and/or Medicare/Medicaid Fraud. *(License to practice medicine in this State is temporarily suspended.)*

Marthers, Heather M., M.D.

Hilton Head, SC
Order of Temporary Suspension
March 17, 2003
Physician's addiction to drugs or alcohol to such a degree as to render her unfit to practice medicine constitutes a serious threat to the public health, safety, or welfare. *(License to practice medicine in this State is temporarily suspended.)*

Name Unpublished

Consent Order
March 17, 2003
Practiced respiratory care without a current license. *(Private Reprimand and \$25 fine.)*

Name Unpublished

Consent Order
March 30, 2003
Practiced medicine after license had expired. *(Private Reprimand and \$50 fine.)*

Name Unpublished

Consent Order
March 26, 2003
Practiced respiratory care without a current license. *(Private Reprimand and \$100 fine.)*

Warren, Michael F., M.D.

Charleston, SC
Interim Order of Reinstatement
April 8, 2003
With strict compliance with treatment, guidelines and constraints established to monitor his practice, physician does not appear to be a danger to the public health, safety, or welfare. *(License to practice medicine in this State is temporarily reinstated under terms and conditions, effective April 14, 2003.)*

Scharstein, Robert, M.D.

Charlotte, NC
Order of Temporary Suspension
April 30, 2003
Effective May 24, 2003
Physician's addiction to drugs or alcohol to such a degree as to render him unfit to practice medicine constitutes a serious threat to the public health, safety, or welfare. *(License to practice medicine in this State is temporarily suspended.)*

Shippel, Allan H., M.D.

Roswell, GA
Order of Conditional Reinstatement
May 15, 2003
(License to practice medicine is temporarily reinstated pending Final Order of the Board.) Consent Order
July 3, 2003
Practiced medicine after limited license had expired. *(Private Reprimand and \$250 fine.)*

Howle, Thomas F., P.A.

Charleston, SC
Final Order
May 16, 2003
Physician Assistant has misused alcohol or drugs to such a degree as to render him unfit to practice as a physician assistant and has engaged in dishonorable or unethical conduct that is likely to deceive or harm patients, as evidenced by his attempt to obtain a controlled substances, for his own use, by fraud. *(Public reprimand, \$500 fine and terms and conditions on license.)*

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King, William W., Jr., M.D.

Walterboro, SC
Final Order
May 16, 2003
Failed to respect the law by issuing pre-signed blank prescriptions.
(*Public Reprimand.*)

Koon, David T., Sr., M.D.

Summerton, SC
Final Order
May 16, 2003
Failed to deal honestly and respect the rights of patients, as evidenced by his participation in a sexual relationship with a patient while treating her and his continuing in such relationship after treating the patient. (*Public Reprimand and \$637.50 costs.*)

Name Unpublished

Final Order
May 21, 2003
Engaged in unprofessional conduct as evidenced by his misuse of a hospital computer.
(*Private Reprimand and \$2,531.05 costs.*)

Gresham, Phyllis, M.D.

Ridgeland, SC
Order June 1, 2003
(*Prior to reinstatement of license, certain conditions must be satisfied.*)

Pruitt, James L., Jr., M.D.

Columbia, SC
Consent Order of Reinstatement
June 1, 2003
Physician advises the Board of his commitment to sobriety.
(*License reinstated with terms and conditions.*)

Name Unpublished

Consent Order
June 4, 2003
Practiced respiratory care without a license.
(*Private Reprimand and \$50 fine.*)

Name Unpublished

Consent Order
July 3, 2003
Practiced medicine after limited license had expired. (*Private Reprimand and \$250 fine.*)

Name Unpublished

Consent Order
July 3, 2003
Practiced medicine after limited license had expired. (*Private Reprimand and \$250 fine.*)

Name Unpublished

Consent Order
July 9, 2003
Practiced medicine after limited license had expired. (*Private Reprimand and \$250 fine.*)

Name Unpublished

Consent Order
July 9, 2003
Practiced medicine after limited license had expired. (*Private Reprimand and \$250 fine.*)

Name Unpublished

Consent Order
July 9, 2003
Practiced medicine after limited license had expired. (*Private Reprimand and \$250 fine.*)

Name Unpublished

Consent Order
July 9, 2003
Practiced medicine after limited license had expired. (*Private Reprimand and \$250 fine.*)

Name Unpublished

Consent Order
July 15, 2003
Used a false statement in his renewal application concerning approved continuing education hours. (*Private Reprimand and \$125 fine.*)

Name Unpublished

Final Order
August 4, 2003
Physician kept inadequate and illegible medical records in reference to one patient. (*Private Reprimand, costs of \$947.26 and record keeping course within one year.*)

Name Unpublished

Consent Order
August 15, 2003
Practiced respiratory care without a current license. (*Private Reprimand and \$150 fine.*)

Continued on page 11





Ousterman, Keith E., RCP

Summerville, SC
 Consent Order
 August 15, 2003
 Failed to provide the required information to support the requirements for renewal of RCP license. *(Public Reprimand, \$300 fine and must provide documentation satisfactory to Board within thirty days of Consent Order.)*

Guy, John L., M.D.

Honea Path, SC
 Final Order
 August 22, 2003
 Convicted of a felony or other crime involving moral turpitude as evidenced by his plea of guilty to one count of simple possession of a Schedule III controlled substance. *(Public Reprimand.)*

Webb, Charles Marshall, M.D.

Darlington, SC
 Final Order
 August 22, 2003
 Physician did not provide competent medical service with compassion and respect for human dignity, failed to deal honestly with patients and colleagues, failed to respect the rights of patients and engaged in dishonorable, unethical or unprofessional conduct that is likely to deceive, defraud or harm the public, as evidenced by his inappropriate and unprofessional conduct of a sexual nature towards two patients and a nurse. *(Public Reprimand, \$10,000 fine, \$941.41 costs, and terms and conditions on license.)*

Wise, Ronald S., M.D.

St. Helena, SC
 Final Order
 August 22, 2003
 Physician did not provide competent medical service with compassion and respect for human dignity as evidenced by discharging a patient four to five hours after surgery to remove an appendix that was perforated and gangrenous, failing to prescribe the proper type of antibiotic, failing to order appropriate tests, and failing to adequately cleanse the abdominal cavity. *(Public Reprimand and \$187.50 costs.)*

Name Unpublished

Final Order
 August 29, 2003
 Violation of statute that was handled by Pretrial Intervention and subsequent expungement. *(Private Reprimand, and terms and conditions on license.)*

Regular Board Meeting Dates

2003 and 2004 Board Meeting Deadline Dates

BOARD MEETING DATE

AGENDA CLOSING DATE

November 3-5, 2003

October 10, 2003

February 1-4, 2004

January 8, 2004

May 2-5, 2004

April 8, 2004

August 1-4, 2004

July 8, 2004

Oct. 31-Nov.3, 2004

October 7, 2004



Check Web site for changes in meeting schedule.

www.llr.state.sc.us/pol/medical



THE EXAMINER

A Newsletter of the South Carolina Board of Medical Examiners
South Carolina Department of Labor, Licensing and Regulation
www.llr.state.sc.us/pol/medical

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Controlled Substance Regulation • Continued from page 1

Amendments to the Act also permit a schedule II controlled substance prescription to be filled up to 60 days from the date of issue, instead of 30 days.



Per DEA and DHEC policy a physician may issue more than one prescription on the same date for the same medication for a patient, provided they bear the actual date that the prescriptions were issued and signed. DEA policy requires that a “do not dispense before” date must be included in the dispensing directions. For example, if three prescriptions, each for a 30-day supply, are issued on September 1, 2003, each must be dated September 1, 2003. The prescriptions to be filled at later dates must include dispensing directions such as, “do not dispense before October 1, 2003” and “do not dispense before November 1, 2003.”

If you have any questions, call Bureau Director Wilbur Harling at (803) 896-0636.

Medical Board Directory for 2003 in CD Format

The Medical Board Directory for 2003 was produced in a compact disc (CD) format instead of the printed format provided in previous years as a cost saving necessity. The cost of printing and mailing a printed directory had risen in 2002 to more than \$65,000 with anticipated costs in 2003 of \$70,000. To provide a directory to all licensees at no cost became a task that could not be supported by our operating budget. The 2003 costs of producing and mailing the compact disc directory were \$22,900, resulting in a cost savings to the Board of more than \$42,000. Improved mailing processes should reduce the cost even more for 2004.

