

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: MAHLON D. CANNON, M.D.
License No.: 0101-025481

ORDER OF SUMMARY SUSPENSION

In accordance with Section 54.1-2408.1 of the Code of Virginia (1950), as amended ("Code"), the Virginia Board of Medicine ("Board") met on August 17, 1999, to receive and act upon investigative information, statements made and documents received at an informal conference on June 23, 1999, indicating that Mahlon D. Cannon, M.D., may have violated certain laws relating to the practice of medicine in the Commonwealth of Virginia. Prior to this meeting, a good faith effort to assemble a quorum of the Board in person was made, but failed. A majority of the Board, on August 13, 1999, agreed that the continued practice of medicine by Dr. Cannon may be a substantial danger to the public health and safety warranting a telephone conference call.

Therefore, the meeting was convened by telephone conference call, with eleven (11) members of the Board participating. The matter was presented by Suzanne T. Ellison, Assistant Attorney General. Also participating in the conference call were: Warren W. Koontz, M.D., Executive Director of Virginia Board of Medicine; Karen Perrine, Deputy Executive Director, Board of Medicine; Assistant Attorney General Lynne R. Fleming, counsel for the Board; Patricia L. Larimer, Senior Legal Assistant and Reneé Dixson, Discipline Case Manager. Upon hearing the evidence presented, the Board unanimously determined that the continued practice of Dr. Cannon constitutes a substantial danger to the public health and safety, in that:

1. On June 10, 1991, the Division of Medical Quality of the Medical Board of California revoked Dr. Cannon's license to practice medicine and prohibited him from supervising a physician assistant, effective July 10, 1991, pursuant to findings by an Administrative Law Judge that Dr. Cannon was guilty of unprofessional conduct. Specifically, the June 10, 1991, Order stated the following, "The Findings herein detail a number of breaches of varied nature of respondent's duties, obligations, and responsibilities to patients and thus demonstrate that, at present, respondent cannot safely practice medicine."

2. During the period between 1985 and 1988, Dr. Cannon worked as an independent contractor at Her Medical Clinic ("HMC"), Los Angeles, California, a low cost, high volume clinic for female patients which provided family

Dr. Cannon

planning services, including elective abortion procedures. All of the charges relating to the California disciplinary proceedings arose out of Dr. Cannon's work at HMC.

3. On August 26, 1992, Dr. Cannon was noticed for a formal administrative hearing before the Virginia Board of Medicine. On September 16, 1992, the hearing was continued due to Dr. Cannon's pending appeal of the revocation of his California license.

4. From January 1992 through September 1993, Dr. Cannon worked for the Virginia Department of Health ("VDOH") Richmond City Health Department.

5. Since September 1993, Dr. Cannon has served on a full-time basis with the VDOH Three Rivers Health District. In June 1994, Dr. Cannon was named Chief of Professional Services for the district and is currently the principal clinician for the district responsible for family planning, prenatal and other primary care clinics in ten rural clinics.

6. On May 26, 1993, the Superior Court of Sacramento County, California, affirmed the 1991 decision of the Medical Board of California.

7. On February 21, 1996, the Court of Appeal for the State of California, Third Appellate District, affirmed the 1991 decision to revoke Dr. Cannon's license.

8. By Order of the Virginia Board of Medicine entered June 24, 1996, the Board made findings of fact and found Dr. Cannon in violation of Section 54.1-2915.A(6) of the Code, and continued the final disposition of the matter with terms and conditions. Term 1.c. of the June 24, 1996, Order required that, Dr. Cannon take and successfully pass the Special Purpose Examination ("SPEX") offered by the Federation of State Medical Boards within one year from the date the Order was entered. Dr. Cannon took the SPEX on March 23, 1997, and again November 24, 1997, failing the examination each time with scores of 65 and 68, respectively. The minimum passing grade is 75.

9. Dr. Cannon met with an Informal Conference Committee of the Board on December 11, 1997, to review his compliance with the Order of June 24, 1996. That Committee continued the case generally on terms and conditions which required him to successfully pass the SPEX or a "Board approved equivalent examination in his specialty that tests a broad range of knowledge."

10. Dr. Cannon took the SPEX on July 30, 1998, and failed the examination with a score of 70. Dr. Cannon's SPEX Performance Profile was as follows:

a. Dr. Cannon scored in the “Borderline Performance” to “Lower Performance” performance bands in the following:

Clinical Encounter Categories
Well-care/Preventive Medicine; and
Emergency Conditions, Critical Care

Physician Tasks
Data Gathering; and
Managing Therapy

System classifications
Psychologic/Interpersonal

b. Dr. Cannon scored in the “Lower Performance” performance band in the following:

Clinical Encounter Categories
Acute, Circumscribed Problems;
Ill-defined Presentation or Problems;
Chronic or Progressive Illness; and
Behavioral/Emotional Problems

Physician Tasks
Diagnostic Assessment; and
Applying Scientific Concepts

System classifications
Cardiovascular/Hematologic;
Gastrointestinal;
Neurologic;
Respiratory;
Musculoskeletal/Dermatologic; and
Endocrine/Metabolic/Renal/Systemic

11. Dr. Cannon failed to comply with Term No. 1 of the Order of the Board entered January 26, 1998.

12. Dr. Cannon took the SPEX on June 16, 1999, as “self-sponsored,” under which arrangement the scores would be reported to him and not to the Board. Dr. Cannon failed that examination.

13. Dr. Cannon’s residency training was in obstetrics and gynecology and that practice area is his specialty. However, in his work for the Virginia Department of Health, Three Rivers Health District, Dr. Cannon engages in general medical practice and treats, without supervision, a broad range of medical problems for men, women, and children. He also provides supervision of a nurse practitioner and students and residents from the Medical College of Virginia, Richmond, Virginia.

14. Dr. Cannon also works part-time, without supervision, as an independent contractor at three Richmond, Virginia women's clinics.

ORDER

WHEREFORE, it is hereby ORDERED that the license of Mahlon D. Cannon, M.D., to practice medicine the Commonwealth of Virginia be, and hereby is, SUMMARILY SUSPENDED, simultaneously with the institution of proceedings for a formal administrative hearing in this matter. Said hearing shall be scheduled within a reasonable time from the date of this summary suspension.

Pursuant to Section 54.1-2920 of the Code, upon entry of this Order, Dr. Cannon shall forthwith give notice, by certified mail, of the suspension/revocation of his license to practice medicine to all patients to whom he is currently providing services. Dr. Cannon shall cooperate with other practitioners to ensure continuation of treatment in conformity with the wishes of the patient. Dr. Cannon shall also notify any hospitals or other facilities where he is currently granted privileges, and any health insurance companies, health insurance administrators or health maintenance organization currently reimbursing him for any of the healing arts.

Upon entry of this Order, the license of Mahlon D. Cannon, M.D., will be recorded as suspended and no longer current. Consistent with the terms of this Order, in the event that Mahlon D. Cannon, M.D., seeks reinstatement of his license, he shall be responsible for any fees that may be required for the reinstatement and renewal of his license prior to issuance of his license to resume practice.

Pursuant to Section 9-6.14:14 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.

FOR THE BOARD



Warren W. Koontz, M.D.
Executive Director
Virginia Board of Medicine

ENTERED: 8-18-99