

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: REFFAT K. ABOFREKA, M.D.
License No.: 0101-043653

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 April 5, 2006, to receive and act upon investigative information indicating that Reffat K. Abofreka, 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. On April 3, 2006, a majority of the Board agreed that the continued practice of medicine by Dr. Abofreka 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 seventeen (17) members of the Board participating. The matter was presented by Wayne T. Halbleib, Assistant Attorney General and Erin L. T. Ranney, Adjudication Specialist. Also participating in the conference call were William L. Harp, M.D., and Assistant Attorney General Emily O. Wingfield, counsel for the Board. Upon hearing the evidence presented, the Board unanimously determined that the continued practice of Dr. Abofreka constitutes a substantial danger to the public health and safety, in that:

1. On or about January 9, 2006, Patient A presented to Dr. Abofreka's office for termination of pregnancy. Without performing diagnostic tests to ascertain the gestational age of the fetus, and instead relying only on a bimanual pelvic examination, that he believed

showed a twelve (12) week fetus, Dr. Abofreka began a termination procedure on Patient A. After applying suction several times, Dr. Abofreka realized that the pregnancy was greater than the twelve (12) weeks gestation he estimated on examination. He stopped the procedure and performed a sonogram which showed the gestational age was approximately twenty-four (24) weeks, requiring that such procedure be performed in a hospital. Without arranging for Patient A's transfer to the nearest hospital facility, he instructed the patient to proceed directly to Alexandria Hospital, where the gestational age of twenty-three point two (23.2) weeks was confirmed by sonogram. The fetus was delivered, but failed to survive.

2. Dr. Abofreka provided substandard care and treatment of Patient B from on or about August 2004 through on or about March 2005. Specifically:

- a. Patient B presented to Dr. Abofreka on or about August 23, 2004, reporting possible pregnancy. At that time he did not conduct standard testing to confirm pregnancy, instead he performed a vaginal sonogram. Dr. Abofreka noted in the patient's chart that he advised the patient that he does not deliver babies, does not do prenatal care, and only does sonograms and blood testing. After confirming pregnancy, he did not refer the patient to an obstetrician on this visit.
- b. Patient B presented to Dr. Abofreka on or about September 20, 2004, at which time he drew a blood sample, which was subsequently analyzed by LabCorp and returned as a "Prenatal Profile I." Dr. Abofreka also performed a vaginal examination and noted that there were no signs of infection. He did not provide adequate prenatal or obstetrical care at that time, nor did he refer the patient to an obstetrician on this visit.

c. Patient B presented to Dr. Abofreka on or about October 18, 2004, November 16, 2004, December 14, 2004, January 11, 2005, and February 15, 2005, during which he took the patient's blood pressure and performed an abdominal ultrasound (sonogram), and recorded the gestational age and developmental stage of the fetus in the patient's records. Dr. Abofreka did not provide any further prenatal or obstetrical care at these visits, nor did he refer the patient to an obstetrician.

d. Patient B presented to Dr. Abofreka on or about March 1, 2005, complaining of infection. Dr. Abofreka performed a vaginal examination and noted that there were no signs of infection, and that no treatment was given. He did not provide any further prenatal or obstetrical care at this visit, nor did he refer the patient to an obstetrician.

e. When Patient B presented to the Prince William Hospital Emergency Room on or about March 6, 2005 for labor and delivery, she informed the doctors present there that Dr. Abofreka was her prenatal physician.

3. Dr. Abofreka performed abdominal ultrasounds (sonograms) on Patient B every month of her pregnancy from on or about October 2004 through on or about February 2005, without a medical or therapeutic purpose.

4. Dr. Abofreka provided substandard care and treatment of Patient C in February 2005. Specifically:

a. Patient C presented to Dr. Abofreka on or about February 10, 2005, requesting a pregnancy test, which was returned positive. She indicated that she

wanted to terminate the pregnancy, and Dr. Abofreka requested that she return the following day, February 11, 2005.

b. Dr. Abofreka did not perform any diagnostic tests to confirm the gestational age of the fetus prior to beginning the termination of pregnancy procedure on or about February 11, 2005.

c. On or about February 11, 2005, when Dr. Abofreka was unable to retrieve a satisfactory amount of tissue during the procedure, he ended the procedure and transferred the patient to the examination room for a vaginal sonogram.

d. When the sonogram was performed on Patient C, it revealed a cystic mass between the uterus and the left ovary which Dr. Abofreka suspected to be an ectopic pregnancy. At that time he did not arrange for transfer of Patient C to the nearest hospital emergency facility, but instead, gave a copy of the sonogram to the patient and instructed her and her boyfriend that she should be taken to the nearest emergency room facility.

e. Patient C presented at the Inova Fairfax Health System Emergency Room in Falls Church, Virginia, on or about February 12, 2005, where the mass was confirmed, as well as an ongoing early stage pregnancy as determined by a test for Human Chorionic Gonadotrophin.

f. On or about March 3, 2005, an early stage intrauterine pregnancy was confirmed at six point six (6.6) weeks.

5. During an unannounced inspection of Dr. Abofreka's practice, on or about June 14, 2005 with follow up visits on or about June 23, 2005 and July 14, 2005, it was found that:

- a. Dr. Abofreka had no initial inventory of controlled substances in stock in his office.
- b. Dr. Abofreka did not have a record of Schedule I through V controlled substances received, the date received, the name and address of the person from whom received, and the kind and quantity received.
- c. Dr. Abofreka did not have current certification in advanced resuscitation techniques.
- d. Dr. Abofreka had not developed a written protocol for patient evaluation.
- e. Dr. Abofreka's informed consent form for patients did not contain information about the nature and objectives of the anesthesia planned for the patient.
- f. Dr. Abofreka's written protocol for handling emergency situations did not address internal and external disasters, and there was no evidence that the personnel working in his office were trained in the emergency procedures. Further, although Dr. Abofreka maintained written protocols for safe and timely transfer of patients to a pre-specified hospital within a reasonable proximity, he did not have a written transfer agreement with such hospital.
- g. Dr. Abofreka did not have a written set of policies and procedures outlining discharge criteria, written instructions for the patient with an emergency contact number, and did not have at least one person trained in advanced resuscitative techniques immediately available to patients.

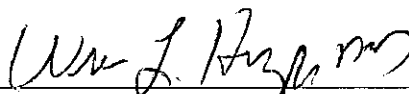
ORDER

WHEREFORE, it is hereby ORDERED that the license of Reffat K. Abofreka, M.D., to practice medicine and surgery in 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.

Upon entry of this Order, the license of Reffat K. Abofreka, M.D., will be recorded as suspended and no longer current.

Pursuant to Section 54.1-2400.2(F) 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



William L. Harp, M.D.
Executive Director
Virginia Board of Medicine

ENTERED: 4/5/06