

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

**IN RE: DANIEL J. NOONAN, M.D.
LICENSE NO.: 0101-032425**

ORDER

In accordance with Sections 54.1-2919 and 9-6.14:11 of the Code of Virginia (1950), as amended ("Code"), an informal conference was held with Daniel J. Noonan, M.D., on November 30, 2000, in Roanoke, Virginia. Members of the Virginia Board of Medicine ("Board") serving on the Informal Conference Committee ("Committee") were: Richard M. Newton, M.D., Chairman; Sue Ellen Rocovich, D.O.; and Jerry R. Willis, D.C. Dr. Noonan appeared personally and was not represented by legal counsel. The purpose of the informal conference was to review Dr. Noonan's compliance with the terms and conditions imposed upon his license to practice medicine Virginia, by Consent Order of the Board entered December 22, 1999, as set forth in a Notice of Informal Conference dated October 27, 2000.

FINDINGS OF FACT

Now, having properly considered the information and statement presented, the Committee makes the following Findings of Fact:

1. Pursuant to Term #1 of the Consent Order entered December 22, 1999, Dr. Noonan underwent psychiatric and neuropsychological evaluations, by Bobby W. Nelson, M.D., and Edward A. Peck, III, Ph.D., respectively. In his report dated January 13, 2000, Dr Nelson opined that he thought it was unlikely that Dr. Noonan would "further self-prescribe." As stated in his report dated January 16, 2000, Dr. Peck found "no clear evidence of a true neuropsychological abnormality documented at the present time, but some area of unexpected variability in cognition are noted."

2. Pursuant to Term #2 of the Consent Order entered December 22, 1999, Dr. Noonan was evaluated by Jitendra S. Desai, M.D., for any substance abuse problems. In a report dated June 6, 2000, Dr. Desai diagnosed "major depression, severe, recurrent, at times refractory" and "sedative hypnotic abuse, in full sustained remission by history." A randomized drug screen and a Breathalyzer performed on May 26, 2000, were negative. Dr. Desai recommended continuing medical education focusing on boundary issues and prescription guidelines as well as substance abuse issues over the next three years. Dr Desai also recommended random urine drug screens for at least six months,

attendance at a continuing care group for health professionals, for one year. Dr. Desai noted enrollment with Virginia Monitoring, Inc., should be voluntary or at the discretion of the Board.

3. Dr. Noonan indicated, that he had not taken Fiorinal, Fioricet or codeine since 1993. He said he occasionally drank wine, but was subject to headaches if he consumed more than two glasses.

4. Dr. Noonan stated that he did not think that he had a substance abuse problem. He related his self-prescribing to the treatment of medical illnesses, i.e., headaches and depression.

5. Pursuant to Term #3 of the Consent Order entered December 22, 1999, Dr. Noonan signed an authorization providing for unrestricted communication between and among the Board, the Board's consultants, Dr. Noonan's current or former treating or evaluating practitioners, including, but not limited to, E. Williams Pelton, M.D.; William Rheuban, M.D.; and James D. Allen, M.D.

6. Pursuant to Term #4 of the Consent Order entered December 22, 1999, Dr. Noonan proved evidence of 93.5 hours of continuing medical education since April 1998.

7. Dr. Noonan is in compliance with all terms of the Consent Order entered December 22, 1999.

8. Dr. Noonan continues to see Dr. Rheuban approximately once a week for psychotherapy and medication maintenance.

9. Dr. Noonan has not practiced medicine since closing his practice in February 2000.

10. Dr. Noonan indicated that he would like to resume a practice of gynecology in Virginia or perhaps in another jurisdiction.

CONCLUSIONS OF LAW

The Committee concludes that this matter is properly before it and it is responsible for reviewing and approving all information relative to the terms of the Consent Order entered December 22, 1999.

ORDER

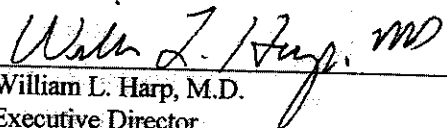
Based on the foregoing Findings of Fact and Conclusions of Law, and Dr. Noonan's demonstrated compliance with all terms of the Consent Order entered December 22, 1999, it is hereby ORDERED that this matter be CLOSED.

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.

Pursuant to Section 54.1-2919 of the Code of Virginia 1950, as amended, Dr. Noonan may, not later than 5:00 p.m., on January 15, 2001, notify William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, Richmond, Virginia 23230, in writing that he desires a hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

Therefore, this Order shall become final on January 15, 2001, unless a request for a hearing is received as described above.

FOR THE BOARD



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

Entered: 12/12/00