

BEFORE THE  
NORTH CAROLINA MEDICAL BOARD

In re: )  
 )  
Clarence Joseph Washington, M.D., )            CONSENT ORDER  
 )  
Respondent. )

This matter is before the North Carolina Medical Board ("Board") on information and belief that Clarence Joseph Washington, M.D. ("Dr. Washington"), committed unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) by failing to conform to the accepted and prevailing standards of medical practice.

Whereas, the Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Article 1 of Chapter 90 of the North Carolina General Statutes; and

Whereas, Dr. Washington is a physician licensed by the Board on or about March 12, 1988, license number 32295; and

Whereas, during the times relevant herein, Dr. Washington was engaged in the practice of obstetrics and gynecology in Fayetteville, North Carolina; and

Whereas, on June 18, 2009, Dr. Washington performed a second trimester dilation and evacuation (hereafter D&E)

procedure on Patient A at an out-patient clinic in Fayetteville, North Carolina; and

Whereas, on July 1, 2009, Patient A presented to the emergency department of Cape Fear Valley Medical Center with intermittent heavy vaginal bleeding; and

Whereas, subsequent surgery revealed a significant cervical laceration and a retained suture needle protruding from the top of Patient A's cervix; and

Whereas, due to inability to control the bleeding, Patient A underwent an emergency hysterectomy; and

Whereas, in October 2005, Dr. Washington performed a second trimester D&E procedure on Patient B at an out-patient clinic in Fayetteville, North Carolina; and

Whereas during the procedure, bleeding was encountered that could not be controlled with uterotonic agents; and

Whereas Dr. Washington stabilized patient B by applying and leaving a clamp in place to control bleeding from the cervix with packing in place; and

Whereas EMS was immediately called and patient B was transported to Cape Fear Valley Medical Center; and

Whereas Dr. Washington accompanied patient B to the emergency department of Cape Fear Valley Medical Center where he presented patient B to emergency staff; and

Whereas Dr. Washington does not have privileges at Cape Fear Valley Medical Center, and

Whereas Dr. Washington does have an arrangement with a physician to provide back-up and/or hospital coverage for Dr. Washington's patients who require emergency or hospital care; and

Whereas upon arrival at the emergency department Patient B was found to be severely anemic; and

Whereas subsequent surgery revealed a perforation at the junction of the cervix and uterus; and

Whereas the perforation was successfully repaired; however, Patient B required aggressive fluid resuscitation and transfusion; and

Whereas, the patient medical records of Patients A and B were provided to outside expert reviewer to determine if the care rendered by Dr. Washington to Patients A and B was within the accepted and prevailing standard of care of the medical community in North Carolina; and

Whereas, the reviewer identified areas where Dr. Washington's care, treatment and medical records of Patients A and B were below the accepted and prevailing standard of care; and

Whereas, Dr. Washington's care, treatment and medical records of Patient A and B as described above, constitutes a departure from the standards of acceptable and prevailing medical practice within the meaning of N.C. Gen. Stat. § 90-14(a)(6), which is grounds under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition, or limit Dr. Washington's license to practice medicine issued by the Board; and

Whereas, Dr. Washington would like to resolve this matter without the need for more formal proceedings; and

Now, therefore, with Dr. Washington's consent, it is ORDERED that:

1. Dr. Washington's license to perform medical acts, tasks and functions as a physician be and hereby is SUSPENDED, however, such suspension is immediately STAYED on the following terms and conditions:

(a) If Dr. Washington intends to perform any second trimester D&E procedures, he shall undertake the following remediation plan. Dr. Washington shall observe another physician(s) perform ten (10) second trimester D&E procedures. During this observation period, the emphasis will be patient care, medical knowledge, communication,

practice based learning, systems based care, and professionalism.

(b) Following the observation of Ten (10) second trimester D&E procedures, Dr. Washington shall complete a period of direct supervision wherein Dr. Washington shall perform 10 second trimester D&E procedures under the direct supervision of another physician(s).

(c) Until the completion of the above-described remediation program, Dr. Washington shall not perform second trimester D&E procedures except as described in paragraph 1(b) above.

(d) Not later than thirty (30) days after the remediation has been completed, Dr. Washington shall ensure all physician(s) who provided direct observation of Dr. Washington's performance of second trimester D&E procedures deliver a letter to the Board's Director of Compliance which describes with detail the nature of the observation and state an opinion as to the level of competency of Dr. Washington to perform second trimester D&E procedures.

(e) Within fifteen (15) days of the date of this Consent Order, Dr. Washington shall enter into a written agreement with a physician(s) delineating who will provide

back-up and/or hospital coverage for Dr. Washington's patients who may require emergency or hospital care.

(f) Within six (6) months of the date of this Consent Order, Dr. Washington shall attend a continuing medical education course on medical record keeping. The record keeping course must be pre-approved by the Board's Medical Director. Dr. Washington shall provide proof of satisfactory completion of the course to the Medical Director of the Medical Board within thirty (30) days of completing the course.

2. Dr. Washington shall notify the Board in writing of any change in his residence or practice address within thirty (30) days of the change or addition.

3. Dr. Washington shall obey all Federal and State laws. Likewise, Dr. Washington shall obey all rules or regulations involving the practice of medicine.

4. Dr. Washington shall meet with the Board or members of the Board for an informal interview at such times as requested by the Board.

5. This Consent Order shall take effect immediately upon its execution by both Dr. Washington and the Board and it shall continue in effect until specifically ordered otherwise by the Board.

6. If Dr. Washington fails to comply with any of the terms of this Consent Order, that failure shall constitute unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and shall be grounds, after any required notice and hearing, for the Board to annul, revoke, suspend, or limit his license or to deny any application he might then have pending or might make in the future for a license.

7. Dr. Washington hereby waives any requirement under any law or rule that this Consent Order be served on him.

8. This Consent Order shall take effect immediately upon its execution by both Dr. Washington and the Board and it shall continue in effect until specifically ordered otherwise by the Board.

9. Upon execution by Dr. Washington and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be reported to persons, entities, agencies, and clearinghouses, as required and permitted by law.

By Order of the North Carolina Medical Board this the 21st  
day of December, 2010.

NORTH CAROLINA MEDICAL BOARD

By: Janice E. Huff MD  
Janice Huff, M.D.  
President

Consented to this the 21 day of December, 2010.

Clarence Joseph Washington M.D.  
Clarence Joseph Washington, M.D.

State of North Carolina  
County of Wake

I, Chloe Stewart, a Notary Public for the  
above named State and County, do hereby certify that Clarence  
Joseph Washington, M.D. personally appeared before me this day  
and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal

this the 21 day of December, 2010.

Chloe Stewart  
Notary Public

(SEAL)



My Commission expires: Feb. 19, 2012