

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: THOMAS GRESINGER, M.D.  
License No.: 0101-018451

CONSENT ORDER

By letter dated June 11, 2013, the Virginia Board of Medicine ("Board") noticed Dr. Gresinger for an informal conference to inquire into allegations that he may have violated certain laws governing the practice of medicine and surgery in the Commonwealth of Virginia.

In lieu of proceeding to this informal conference, the Board and Dr. Gresinger, as evidenced by their signatures affixed below, agree to enter into this Consent Order affecting the license of Dr. Gresinger to practice medicine and surgery in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Board adopts the following findings of fact and conclusions of law in this matter:

1. Dr. Gresinger was issued license number 0101-018451 by the Board to practice medicine in the Commonwealth of Virginia on June 15, 1967. Said license is currently active and will expire on July 31, 2014, unless renewed or otherwise restricted.

2. Dr. Gresinger violated Sections 54.1-2915.A(3) and (18) of the Code, and 18 VAC 85-20-28.A of the Board of Medicine General Regulations, in that, prior to performing an abortion procedure on Patient A on or about August 24, 2012, he failed to first meet with the patient to discuss her care and explain to her the proposed procedure, nor did he explain to her the risks, benefits, and alternatives of the proposed procedure prior to obtaining informed consent thereto. In fact, by Dr. Gresinger's own admission, he did not see or talk to Patient A, nor does he typically see or talk to any patients on whom he performs abortion procedures,

prior to entering the room to perform the actual surgery. Further, Dr. Gresinger acknowledged that, prior to his entry into the room to perform the procedure, Patient A (as is the case with all his patients) had already been medicated by an unlicensed clinic administrator (Individual Z), who generally is the person responsible for providing all explanations and information concerning the procedure and also obtains patient informed consent.

3. Dr. Gresinger violated Sections 54.1-2915.A(3), (17), and (18) and 54.1-3303.A of the Code, and 18 VAC 85-20-25.A of the Board of Medicine General Regulations in that, without first examining or communicating with Patient A himself or providing a specific medication order for her (consistent with his treatment of all patients undergoing abortion procedures), Dr. Gresinger allowed or authorized Individual Z to give Patient A Xanax (Schedule IV) for sedation, along with ibuprofen and misoprostol (Schedule VI) for cervical dilation, prior to his performance of her abortion procedure.

### CONSENT

I, Thomas Gresinger, M.D., by affixing my signature hereto, acknowledge that:

1. I have been advised specifically to seek the advice of counsel prior to signing this document and am represented by John P. McGeehan;
2. I am fully aware that without my consent, no legal action can be taken against me, except pursuant to the Virginia Administrative Process Act, § 2.2-4000.A et seq. of the Code of Virginia;
3. I have the following rights, among others:
  - a. the right to a an informal conference before the Board; and

b. the right to appear in person or by counsel, or other qualified representative before the agency.

4. I waive all rights to an informal conference;

5. I neither admit nor deny the truth of the above Findings of Fact and Conclusions of Law contained herein and agree not to contest the Findings of Fact and Conclusions of Law or any sanction imposed hereunder in any future judicial or administrative proceedings where the Board is a party; and

6. I consent to the following Order affecting my license to practice medicine in the Commonwealth of Virginia.

### **ORDER**

WHEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, and with the consent of the licensee, it is hereby ORDERED that Thomas Gresinger, M.D., is issued a REPRIMAND.

It is further ORDERED that within thirty (30) days from entry of this Consent Order, Dr. Gresinger shall provide the Board with a written statement certifying that he has read and will comply with: (i) the laws governing the practice of medicine and other healing arts (Title 54.1, Chapter 29 of the Code); (ii) the Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, and Chiropractic (18 VAC 85-20-10 *et seq*), including specifically 18 VAC 85-20-28.A of those regulations dealing with patient communication; and (iii) the Drug Laws for Practitioners.

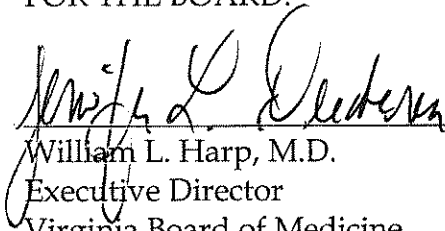
Upon receipt of evidence that Dr. Gresinger has complied with the requirements of this Consent Order, the Committee authorizes the Executive Director to close this matter.

Violation of this Consent Order may constitute grounds for suspension or revocation of Dr. Gresinger's license. In the event that Dr. Gresinger violates this Consent Order, an administrative proceeding may be convened to determine whether such action is warranted.

Dr. Gresinger shall maintain a course of conduct in his practice of medicine commensurate with the requirements of Title 54.1, Chapter 29 of the Code and all laws of the Commonwealth.

Pursuant to Section 54.1-2400.2 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:

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

ENTERED: 8/15/2013

SEEN AND AGREED TO:

Thomas H. Gresinger, M.D.

Thomas Gresinger, M.D.

COMMONWEALTH OF VIRGINIA  
COUNTY, CITY OF FALLS CHURCH, TO WIT:

Subscribed and sworn to before me, the undersigned Notary Public, in and for the Commonwealth of Virginia, at large, this 17<sup>th</sup> day of AUGUST, 2013 by Thomas Gresinger, M.D.

Virginia L. McClung  
Notary Public

Registration Number: 8-31-16

My commission expires: # 347355