

**FINAL APPROVED**

**VIRGINIA BOARD OF MEDICINE  
MINUTES**

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Friday, June 27, 2008

Department of Health Professions  
Perimeter Center  
9960 Mayland Drive, Suite #300

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Richmond, Virginia

- CALL TO ORDER:** A panel of the Board was called to order at 8:41 a.m.
- MEMBERS PRESENT:** Karen Ransone, M.D., Chair  
William Epstein, M.D.  
Valerie Hoffman, D.C.  
Gopinath Jadhav, M.D.  
Jane Piness, M.D.  
General Clara Adams-Ender, R.N.
- STAFF PRESENT:** Howard Casway, Sr. A.A.G, Board Counsel  
Jennifer L. Deschenes, Deputy Executive Director, Discipline
- PARTIES ON BEHALF OF  
THE COMMONWEALTH:** Wayne Halbleib, Assistant Attorney General  
Julia Bennett, Adjudication Specialist
- WITNESSES:** Patricia Sheehan, Investigator, DHP (*on behalf of the Commonwealth*)
- COURT REPORTER:** Kurt Hroneni, Cavalier Reporting
- MATTER SCHEDULED:** **Reffat K. Abofreka, M.D.** License No.: 0101-043653  
Case No.: 117770
- DISCUSSION:** Dr. Abofreka appeared before the Board in accordance with a Notice and Statement of Particulars dated May 14, 2008. He was represented by Richard E. Gardiner, Esquire. The Board received evidence and sworn testimony regarding the Dr. Abofreka's petition for reinstatement from witnesses called to testify and Dr. Abofreka.
- CLOSED SESSION:** Upon a motion by Dr. Piness, and duly seconded by Dr. Hoffman, the Board voted to convene a closed meeting pursuant to §2.2-3711.A(28) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Dr. Abofreka. Additionally, she moved that Mr. Casway and Ms. Deschenes attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

**RECONVENE:** Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and announced its decision.

**DECISION:** Upon a motion by General Adams-Ender, and duly seconded by Dr. Hoffman, the Board made certain Findings of Fact and voted to deny Dr. Abofreka's petition for reinstatement and continue his license on indefinite suspension. Further, the Board ordered that Dr. Abofreka could not petition the Board again until he had complied with certain terms and conditions.

**VOTE:** The vote was unanimous.

**ADJOURNMENT:** The Board adjourned at 1:25 p.m.

*This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.*

/s/ \_\_\_\_\_  
Karen Ransone, M.D., Chair

/s/ \_\_\_\_\_  
William L. Harp, M.D., Executive Director

7/17/2008  
Date

7/21/2008  
Date

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**CALL TO ORDER:** A panel of the Board was called to order at 9:09 a.m.

**MEMBERS PRESENT:** Malcolm Cothran, M.D., Chair  
Claudette Dalton, M.D.  
Suzanne Everhart, D.O.  
Juan Montero, M.D.  
Robert Mosby, M.D.  
Ann Burks, J.D.  
Roderick Mathews, Esquire

**STAFF PRESENT:** Amy Marschean, Sr. A.A.G, Board Counsel  
William L. Harp, M.D., Executive Director, Board of Medicine

**PARTIES ON BEHALF OF THE COMMONWEALTH:** James Schliessmann, Assistant Attorney General  
Michelle Wilson, Adjudication Specialist

**WITNESSES:** Ola Powers, Deputy Executive Director *(on behalf of the Commonwealth)*  
June Morrison, Sr. Investigator, DHP *(on behalf of the Commonwealth)*

Renee Dixon, Compliance Mgr., Board of Medicine *(on behalf of the Commonwealth)*  
Steve Brigham, M.D. *(on behalf of Dr. Cropp)*  
Michelle Nelson *(on behalf of Dr. Cropp)*

**COURT REPORTER:** Kimberly Adderley, Cavalier Reporting

**MATTER SCHEDULED:** **Craig S. Cropp, M.D.** **License No.: 0101-58190**  
**Case No.: 119421**

**DISCUSSION:** Dr. Cropp appeared before the Board in accordance with a Notice and Statement of Particulars dated June 3, 2008. He was not represented by counsel.

**PRELIMINARY MATTERS:** Mr. Schliessmann presented two additional Commonwealth's Exhibits, #4 and #5, for consideration by the Board. Dr. Cropp noted objections to these exhibits being admitted into the record since they had just been provided to him by mail a few days before the hearing and he had been provided with adequate time to review or address the information in these exhibits. Mr. Schliessmann argued that Commonwealth Exhibit #4 was relevant to the issues before the Board contained additional information regarding Dr. Cropp's compliance, some of which was the same documentation contained Dr. Cropp's exhibit. Mr. Schliessmann further argued that Commonwealth Exhibit #5 was relevant to the allegations in the notice.

**CLOSED SESSION:** Upon a motion by Ms. Burks, and duly seconded by Dr. Montero, the Board voted to convene a closed meeting pursuant to §2.2-3711.A(7) of the Code of Virginia, for the purpose of consultation with and provision of legal advice by Board Counsel. Additionally, she moved that Ms. Marschean and Dr. Harp attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its discussion.

**RECONVENE:** Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and the Chair announced his decision.

**RULING:** The Chair ruled that Commonwealth Exhibit #4 would be admitted into the record as evidence and Commonwealth Exhibits #5 would not be admitted.

**DISCUSSION:** Dr. Cropp appeared before the Board in accordance with a Notice and Statement of Particulars dated June 3, 2008. He was not represented by Counsel.

The Board received evidence and sworn testimony regarding the allegations in the Notice from witnesses called to testify and Dr. Cropp.

**CLOSED SESSION:** Upon a motion by Ms. Burk, and duly seconded by Dr. Montero, the Board voted to convene a closed meeting pursuant to §2.2-3711.A(28) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Dr. Cropp. Additionally, she moved that Ms. Marschean and Dr. Harp attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

**RECONVENE:** Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and announced its decision.

**DECISION:** Upon a motion by Dr. Everhart, and duly seconded by Ms. Burks, the Board made certain Findings of Fact and Conclusions of Law and voted to reinstate Dr. Cropp's license on indefinite probation subject to certain terms and conditions.

**VOTE:** The vote was 6-1, with Dr. Montero voting "no".

**ADJOURNMENT:** The Board adjourned at 6:20 p.m.

*This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.*

/s/ \_\_\_\_\_  
Malcolm Cothran, M.D., Chair

/s/ \_\_\_\_\_  
William L. Harp, M.D., Executive Director

7/17/2008  
Date

7/21/2008  
Date

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**CALL TO ORDER:** A Special Conference Committee of the Board was called to order at 1:45 p.m.

**MEMBERS PRESENT:** Karen Ransone, M.D., Chair  
Jane Piness, M.D.

Deren Bader, C.P.M., D.Ph.

**STAFF PRESENT:** Jennifer L. Deschenes, Deputy Executive Director, Discipline  
Julia Bennett, Adjudication Specialist

**OTHERS PRESENT:** Family and friends on behalf of Ms. Barrett.

**MATTER:** Catherine Barrett, C.P.M. License No.: 0129-000020  
Case No.: 115373

**DISCUSSION:** Ms. Barrett appeared before the Committee in person in accordance with a Notice of the Board dated January 25, 2008. Ms. Barrett was represented by Michael L. Goodman, Esquire.

The Committee fully discussed the allegations in the Notice with Ms. Barrett.

**CLOSED SESSION:** Upon a motion by Dr. Piness, and duly seconded by Dr. Bader, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A (28) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Ms. Barrett. Additionally, she moved that Ms. Deschenes attend the closed meeting because her presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

**RECONVENE:** Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Committee re-convened in open session and announced its decision.

**DECISION:** Upon a motion by Dr. Piness, and duly seconded by Dr. Bader the Committee made certain Findings of Fact and Conclusions of Law and voted to issue Ms. Barrett a reprimand

**VOTE:** The vote was unanimous.

**ADJOURNMENT:** The Committee adjourned at 6:00 p.m.

*As provided by law this decision shall become a Final Order thirty (30) days after service of such Order on Ms. Barrett, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Barrett, within such time. If service of the Order is made by mail three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of the Special Conference Committee shall be vacated.*

/s/ \_\_\_\_\_  
Karen Ransone, M.D., Chair

/s/ \_\_\_\_\_  
William L. Harp, M.D., Executive Director

7/17/2008

Date

7/21/2008

Date

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**CALL TO ORDER:** A panel of the Board was called to order at 6:30 p.m.

**MEMBERS PRESENT:** Malcolm Cothran, M.D., Chair  
Claudette Dalton, M.D.  
Suzanne Everhart, D.O.  
Robert Mosby, M.D.  
Ann Burks, J.D.  
Roderick Mathews, Esquire

**STAFF PRESENT:** Amy Marschean, Sr. A.A.G, Board Counsel  
William L. Harp, M.D., Executive Director, Board of Medicine  
Renée S. Dixson, Discipline Case Manager, Board of Medicine

**PARTIES ON BEHALF OF  
THE COMMONWEALTH:** Frank Pedrotty, Sr. Assistant Attorney General  
Leigh Kiczales, Adjudication Specialist

**WITNESSES:** Patricia Pade, M.D., Associate Medical Director, HPIP (*by telephone*)  
June Morrison, RN, Investigator, DHP (*on behalf of the Commonwealth*)  
Sherry Sigafos, LCSW (*on behalf of the Commonwealth*)  
Amy Stewart, Case Mgr, HPIP (*on behalf of the Commonwealth*)

**COURT REPORTER:** Kimberly Adderley, Cavalier Reporting

**MATTER SCHEDULED:** **Mark D. Rose, D.O.** License No.: 0102-201083  
Case No.: 113049

**DISCUSSION:** Dr. Rose appeared before the Board in accordance with a Notice and Statement of Particulars dated May 21, 2008. He was not represented by counsel. The Board received evidence and sworn testimony regarding the allegations in the Notice from witnesses called to testify and Dr. Rose.

**CLOSED SESSION:** Upon a motion by Dr. Everhart, and duly seconded by Ms. Burks, the Board voted to convene a closed meeting pursuant to Va. Code §2.2-3711.A(15), for the purpose of consideration and discussion of the medical and mental health records of Dr. Rose that are excluded from the Freedom of Information Act by Va. Code 2.2-3705.5(1). Additionally, she moved that Ms. Marschean and Dr. Harp attend the closed meeting because their presence

in the closed meeting was deemed necessary and would aid the Board in its discussion.

**RECONVENE:** Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and continued with their discussion.

**CLOSED SESSION:** Upon a motion by Dr. Everhart, and duly seconded by Ms. Burks, the Board voted to convene a closed meeting pursuant to Va. Code §2.2-3711.A(15), for the purpose of consideration and discussion of the medical and mental health records of Dr. Rose that are excluded from the Freedom of Information Act by Va. Code 2.2-3705.5(1). Additionally, she moved that Ms. Marschean and Dr. Harp attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its discussion.

**RECONVENE:** Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and continued with their discussion.

**CLOSED SESSION:** Upon a motion by Dr. Everhart, and duly seconded by Mr. Mathews, the Board voted to convene a closed meeting pursuant to Va. Code §2.2-3711.A(15), for the purpose of deliberation to reach a decision in the matter of Dr. Rose. Additionally, she moved that Ms. Marschean, Dr. Harp, and Ms. Dixon attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

**RECONVENE:** Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and announced its decision.

**DECISION:** Upon a motion by Dr. Everhart, and duly seconded by Dr. Mosby, the Board made certain Findings of Fact and Conclusions of Law and voted to suspend Dr. Rose's license for not less than nine (9) months.

**VOTE:** The vote was unanimous.

**ADJOURNMENT:** The Board adjourned at 10:40 p.m.

*This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.*

/s/ \_\_\_\_\_  
Malcolm Cothran, M.D., Chair

7/17/2008  
Date

/s/ \_\_\_\_\_  
William L. Harp, M.D., Executive Director

7/21/2008  
Date