

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: DAVID MICHAEL O'NEIL, M.D.
License No.: 0101-244380

CONSENT ORDER

The Virginia Board of Medicine ("Board") and David Michael O'Neil, M.D., as evidenced by their signatures affixed below, agree to enter into this Consent Order affecting the license of Dr. O'Neil to practice medicine and surgery in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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

1. Dr. O'Neil was issued license number 0101-244380 by the Board to practice medicine in the Commonwealth of Virginia on September 9, 2008. Said license is currently active and will expire on November 30, 2012, unless renewed or otherwise restricted.
2. In or about July 2009, Dr. O'Neil purchased 698 tablets of mifepristone and 1797 tablets of misoprostol from a Chinese drug distributor that was not registered with the U.S. Food and Drug Administration. Dr. O'Neil intended to provide the mifepristone and misoprostol to a Mexican family planning clinic.
3. Dr. O'Neil violated Section 54.1-2915.A(17) of the Code of Virginia (1950), as amended ("Code"), in that by Judgment entered on December 20, 2010, in the United States District Court for the District of Maryland, he pled and was adjudged guilty to one count of introduction of misbranded drugs, a misdemeanor, as defined by 21 U.S.C. §§ 331(a) and 333(a)(1).

4. Dr. O’Neil was sentenced to one (1) year probation, fined One-Thousand Dollars (\$1,000.00) and ordered to perform forty (40) hours of community service.

CONSENT

I, David Michael O’Neil, 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 Rose Matricciani, Esquire;

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 an informal conference before the Board;

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 admit the truth of the above Findings of Fact contained herein and agree not to contest the Findings of Fact or Conclusions of Law 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 David Michael O’Neil,

M.D., be and hereby is, issued a REPRIMAND.

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

ENTERED: 9/9/11

SEEN AND AGREED TO:

David O'Neil M.D.
David Michael O'Neil, M.D.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Fairfax, TO WIT:

Subscribed and sworn to before me, the undersigned Notary Public, in and for the Commonwealth of Virginia, at large, this 30 day of August, 2011, by David Michael O'Neil, M.D.

Jenny Cleric
Notary Public
Registration Number: 7189927
My commission expires: 1-31-2012

