

BEFORE THE WEST VIRGINIA BOARD OF OSTEOPATHIC MEDICINE
WEST VIRGINIA BOARD OF OSTEOPATHIC MEDICINE

v.

Complaint Nos. 2024-19 and 2024-21

BRIAN McDEVITT, D.O.

VOLUNTARY AGREEMENT
TO TEMPORARILY CEASE PRACTICE OF MEDICINE

1. The West Virginia Board of Osteopathic Medicine ("Board") is currently investigating the above-referenced complaints regarding Respondent, Brian McDevitt, D.O., ("Respondent") W. Va. License No. 1665.

2. On June 11, 2024, an Indictment was filed in the United States District Court for the Southern District of West Virginia charging Respondent with three (3) counts of knowingly and intentionally distributing a quantity of Clonazepam (AKA "Klonopin") outside the scope of professional practice and not for a legitimate purpose (Criminal Case No. 2:24-cr-00096).

3. Respondent surrendered his DEA registration and cannot currently prescribe or dispense controlled substances.

4. Effective **45 days** from execution of this Agreement by the parties, Respondent agrees to cease practice of medicine in any form in the state of West Virginia during the pendency of the above-referenced criminal matter.

5. During the 45-day period, Respondent shall wind up his practice in an orderly fashion, assist patients in ensuring continuity of their care, and preserve patient records and access thereto.

6. This Agreement will remain in effect until completion of the pending criminal matter, until the Board determines this Agreement should be modified or terminated, or until the Board takes final action in the above-referenced matters.

7. Respondent understands that any violation of this Agreement may result in immediate action against his license by the Board.

8. Respondent understands that the Board may take disciplinary action based upon the final outcome of the criminal matter.

9. Respondent understands that this Agreement is a public document and may be subject to disclosure.

10. Respondent acknowledges that this Agreement will be reported by the Board to the appropriate entities, including the National Practitioner Data Bank.

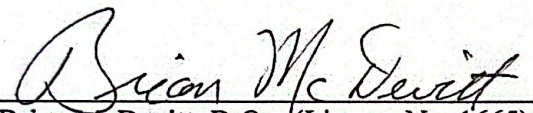
11. Respondent understands that by voluntarily agreeing to temporarily cease practice of medicine in the state of West Virginia pursuant to this Agreement, Respondent does not waive his right to contest any allegations brought against him. Nothing contained in this Agreement shall be construed as an admission or acknowledgement by Respondent as to wrongdoing of any kind in the practice of medicine or otherwise.

12. By entering into this Agreement, Respondent agrees to waive any constitutional, statutory, or administrative due process time limits on a final resolution in the matters pending before the Board.

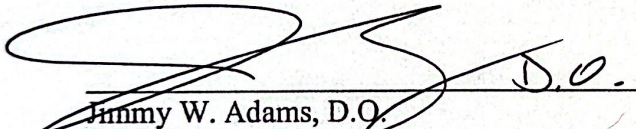
13. Respondent understands his right to consult with an attorney, at his own expense, before entering into this Agreement.

14. Respondent enters this Agreement voluntarily.

15. This Agreement represents the entire agreement between the Board and Respondent at this time.


Brian McDevitt, D.O. (License No. 1665)
Respondent

08/15/24
Date


Jimmy W. Adams, D.O.
President
West Virginia Board of Osteopathic Medicine

15 August 2024
Date