

BEFORE THE WEST VIRGINIA BOARD OF OSTEOPATHIC MEDICINE

WEST VIRGINIA BOARD OF OSTEOPATHIC MEDICINE,

Complainant,

v.

Complaint No. 2024-15

SHANNON MURRELL, PA-C,

Respondent.

**CONSENT ORDER**

The West Virginia Board of Osteopathic Medicine ("Board") and Shannon Murrell, PA-C ("Mr. Murrell"), agree to entry of the following Consent Order pursuant to W. Va. Code § 30-14-1 *et seq.*, W. Va. Code § 30-3E-1 *et seq.*, W. Va. Code § 30-1-1 *et seq.*, and the rules of the Board.

**FINDINGS OF FACT**

The Board and Mr. Murrell stipulate to the truthfulness and accuracy of the following facts:

1. Mr. Murrell is a licensee of the Board, possessing Board-issued license number 596 to practice as a physician assistant in collaboration with physicians in the state of West Virginia.
2. On or about December 10, 2021, a settlement was reached in a medical malpractice claim filed against Mr. Murrell in the Circuit Court of Kanawha County, West Virginia, and a payment was made on behalf of Mr. Murrell.
3. The West Virginia Board of Medicine ("WVBOM") subsequently opened Complaint No. 23-87-W against Mr. Murrell alleging that he had failed to disclose the above-referenced

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medical malpractice settlement on the 2023 renewal application that he submitted on March 20, 2023.<sup>1</sup>

4. On March 11, 2024, the WVBOM and Mr. Murrell entered into a Consent Order to resolve Complaint No. 23-87-W whereby the WVBOM imposed a \$500 fine.

5. Mr. Murrell also did not disclose the above-referenced medical malpractice settlement when he submitted his 2023 renewal application to this Board on March 20, 2023.

6. Mr. Murrell did contact the Board on or about August 21, 2023, to disclose the 2021 settlement after he was contacted about the settlement by the WVBOM.

7. Mr. Murrell maintains that he was not aware of the 2021 settlement until he was contacted by the WVBOM and states that he did not intend to mislead the Board.

8. The Board and Mr. Murrell voluntarily enter into this Consent Order to resolve Complaint No. 2024-15.

9. This Consent Order imposes an administrative fine and does not impose any discipline that is connected to the delivery of healthcare services by Mr. Murrell.

### **CONCLUSIONS OF LAW**

1. The West Virginia Board of Osteopathic Medicine is a board of examination and registration created for the purpose of regulating the practice of physician assistants in the state of West Virginia. W. Va. Code § 30-14-1 *et seq.* and W. Va. Code § 30-3E-1 *et seq.*

2. Pursuant to W. Va. Code § 30-1-8(c), the Board has promulgated legislative rules that establish grounds for disciplinary action against the Board's licensees. W. Va. Code R. § 24-1-18 and W. Va. Code R. § 24-2-18.

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<sup>1</sup> Mr. Murrell is also licensed with the WVBOM, possessing license number 1398.

3. Probable cause may exist to substantiate disciplinary action against Mr. Murrell pursuant to the Board's legislative rules including, but not limited to, the provisions of W. Va. Code R. § 24-1-18.1.7.

4. The Board may take action against a physician assistant's license for conduct which is equivalent to any of the grounds cited in W. Va. Code R. § 24-1-18 for the discipline of osteopathic physicians. W. Va. Code R. § 24-2-18.1.1.

5. The Board is authorized to enter into consent orders where appropriate, and the Board finds that entry of a consent order is appropriate in this case. W. Va. Code § 30-1-8(g).

#### **ACKNOWLEDGMENT OF RIGHTS**

I, Shannon Murrell, PA-C, having read this document and by signing my name to it, understand and acknowledge the following:

1. This is a legally binding document that affects my rights and privileges.
2. I have the right to consult a lawyer concerning the terms of this agreement and the legal rights and remedies that may otherwise be available to me and have been afforded adequate time and opportunity to exercise the right to consult with counsel regarding this Consent Order.
3. I understand that, without my consent, no permanent legal action may be taken against me except after a hearing.
4. I understand that, instead of accepting this agreement, I may demand that the Board prove the charges against me by presenting evidence in a hearing conducted under law. If I chose to have a hearing, I would not have the burden of proof. I could, however, present evidence on my own behalf and I would have the right to cross-examine any witnesses who might testify against me. I also understand that I have the right to subpoena witnesses and records in order to compel their production at the hearing.

5. I knowingly and voluntarily waive all such rights and agree to entry of this Consent Order.

6. I acknowledge that this agreement is a legally-binding Order. I also acknowledge that, if I violate any terms and conditions of this Order, the Board may take further action as permitted by law.

7. I understand that this is a public document and that the Board is legally obligated to allow any person to review this Consent Order. I also understand that this action and Order may be reported to other boards, to other jurisdictions, to the Federation of State Medical Boards, and as otherwise required by law.

8. I understand that, as a result of this Consent Order, other licensing boards and authorities may take adverse action against my licenses as allowed by the laws and regulations governing those boards and authorities.

#### **TERMS OF ORDER**

**WHEREFORE**, based on the foregoing Findings of Fact and Conclusions of Law, and with the consent of Shannon Murrell, PA-C, the West Virginia Board of Osteopathic Medicine **ORDERS** as follows:

1. The Board **FINES** Shannon Murrell, PA-C, in the amount of **\$500.00**. Mr. Murrell shall pay the fine within 60 days of entry of this Consent Order.

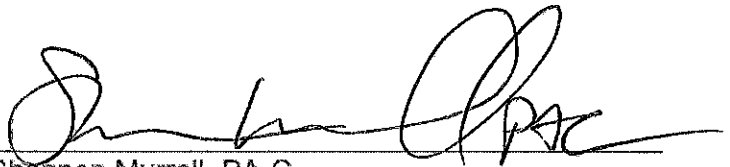
2. If Mr. Murrell fails to comply with the terms of the Consent Order by the established deadline, the Board may elect to take any other action against Mr. Murrell's license authorized by law.

*[Remainder of page intentionally left blank.]*

**ACKNOWLEDGMENT OF LICENSEE:**

I have reviewed the provisions of this Consent Order. I agree to abide by the terms set out herein and to be bound by them.

Signed:

  
Shannon Murrell, PA-C

Date:

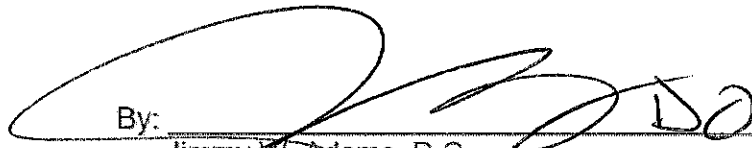
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**ORDERED BY THE BOARD OF OSTEOPATHIC MEDICINE:**

By agreement of the West Virginia Board of Osteopathic Medicine, it is so **ORDERED** and entered this 5<sup>th</sup> day of September 2024.

WEST VIRGINIA BOARD OF OSTEOPATHIC MEDICINE

By:



Jimmy W. Adams, D.O.  
President

West Virginia Board of Osteopathic Medicine