

BEFORE THE WEST VIRGINIA BOARD OF OSTEOPATHIC MEDICINE JAN 07 2019

IN RE:

Complaint No. 2018-12

JESSICA WICKLINE, D.O.,

CONSENT ORDER

The West Virginia Board of Osteopathic Medicine ("Board") and Jessica Wickline, D.O. ("Dr. Wickline") agree to entry of the following order pursuant to West Virginia Code § 30-14-1, *et seq.*

FINDINGS OF FACT

The Board and Dr. Wickline stipulate to the truthfulness and accuracy of the following facts:

1. Dr. Wickline is a licensee of the Board, holding Board-issued license number 2634 to practice osteopathic medicine and surgery in the state of West Virginia.
2. On or about July of 2018, the Board received information that Dr. Wickline may have transmitted patient information to an individual not involved with the patients' medical care.
3. Dr. Wickline admits to transmitting patient names to an individual not involved in those patients' care during a conversation with a family member.
4. The West Virginia Board of Osteopathic Medicine finds that Dr. Wickline's continued practice of osteopathic medicine requires a program of treatment and monitoring under terms that may be revoked or modified at any time that there is probable cause to believe that such program should be modified.

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 osteopathic medicine and

surgery and the practice of osteopathic physician assistants in the State of West Virginia. *W. Va. Code* §§ 30-14-1 and 30-14A-1.

2. The West Virginia Board of Osteopathic Medicine has established rules outlining conduct, practices and acts which may render an individual unfit to practice or subject to disciplinary action by the Board. 24 CSR 1.

3. The West Virginia Board of Osteopathic Medicine is authorized to enter into consent decrees and probation orders where such instruments may afford reasonable supervision and oversight of any person subject to the licensing requirements of the Board, for the benefit of the practice of osteopathic medicine and protection of the public interest. *W. Va. Code* § 30-1-8(e).

ACKNOWLEDGMENT OF RIGHTS

I, Jessica Wickline, D.O., having read this document and, by signing my name to it, I 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.
3. I understand that I have a right to a hearing regarding any charges against me or any action taken against my license. The West Virginia Board of Osteopathic Medicine may not suspend, revoke or take any other disciplinary action regarding my license unless one of three conditions occur: 1) I give my consent to entry of an order restricting, suspending or revoking my license, or 2) the West Virginia Board of Osteopathic Medicine conducts a hearing before imposing any restriction, suspension or revocation, or 3) the Board finds that my continuation in practice constitutes an immediate danger to the public.

4. I understand that, instead of accepting this agreement, I may demand that the Board of Osteopathic Medicine 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 acknowledge that this agreement is also a legally-binding order. If I accept this agreement, I admit to violation of standards of professional conduct. I also acknowledge and admit that, if I violate any terms and conditions of this order, my violations would constitute an immediate danger to the public and that, for such reasons, the Board may suspend or revoke my license without a prior hearing.

6. 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 jurisdictions, to the National Practitioner Data Bank, and to the Federation of State Medical Boards.

TERMS OF ORDER

1. The Board hereby **REPRIMANDS** Jessica Wickline, D.O. for engaging in unprofessional conduct and failing to conform to the ethics of the osteopathic medical profession.

2. Dr. Wickline shall pay a fine of two thousand dollars (\$2,000.00) for violation of the rules of the Board and the laws of this State.

3. Within ninety days of the entry of this ORDER, Dr. Wickline, at her own expense, will agree to complete an appropriate continuing education course in Ethics, to be approved by the Board, and certify to the Board that she has satisfied that requirement.

4. Dr. Wickline will receive an evaluation and undergo a program of counseling or therapy regarding stress and anger management with an appropriately - certified and - credentialed professional, who must also be approved by the Board and who shall submit regular, written reports to the Board at least monthly, describing and detailing her progress in the program, with recommendations for additional treatment requirements or changes as they become necessary;

5. Dr. Wickline will submit a detailed treatment plan to the Board, prepared with guidance and assistance from the professional described in paragraph 4 above, listing her treatment goals, methods and milestones for measuring progress, and shall provide the Board with an updated plan at any time that the plan requirements, objectives or methods are amended or adjusted;

6. Dr. Wickline is financially responsible for payment of all expenses for treatment, counseling, monitoring, and the other terms and conditions of this order;

7. Dr. Wickline will give her written authorization that all records relating to her care, treatment and monitoring, including medical records, may be disclosed to the Board for their review, consideration, and use in any subsequent proceedings before the Board and she will specifically arrange for the treating professional or counselor, described in paragraph 4 above: to provide written reports on the progress of counseling and treatment to the Board quarterly during the period of this Consent Order; to notify the Board within twenty-four hours of any violation of the terms of this Consent Order, the treatment agreement between the Dr. Wickline and her treating professional or counselor; and the delivery of a final report at least fourteen (14) days prior to the end of this Consent Order;

8. Dr. Wickline will conduct herself in a professional manner in all aspects of her work and practice and will remain free of any charges of unprofessional conduct or disciplinary action before this Board, any corresponding board in any other jurisdiction, any other state or

federal agency, or before any hospital, peer review committee, or medical corporation or partnership;

9. Dr. Wickline will be truthful and forthright in all communications with the Board;
and

10. Dr. Wickline shall not violate, or be charged with, any criminal laws of the state of West Virginia, the United States, or of its States, possessions or territories.

11. The preceding terms and conditions apply, and shall remain in effect, unless modified by order of the West Virginia Board of Osteopathic Medicine.

12. Dr. Wickline may request that the Board release her from the terms of this Consent Order at such time as the treating professional or counselor described in paragraph 4 recommends that Dr. Wickline's practice of osteopathic medicine and surgery will not pose a risk to members of the public.

13. If Dr. Wickline fails to comply with, or complete any of the terms stated herein, the West Virginia Board of Osteopathic Medicine may rescind or modify this order and take any other action, including revocation of Dr. Wickline's license, which is authorized by law.

ACKNOWLEDGMENT OF LICENSEE:

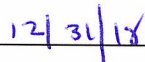
I have reviewed the provisions of this Consent Order. I agree to abide by the terms set out herein and to be bound by them.

Signed:



Jessica Wickline, D.O.

Date:



ORDERED BY THE BOARD OF OSTEOPATHIC MEDICINE:

By agreement of the West Virginia Board of Osteopathic Medicine, it is so ORDERED
and entered this 14th day of January, 2018.⁹

WEST VIRGINIA BOARD OF OSTEOPATHIC MEDICINE

by: Robert Whitler
Robert Whitler
President
West Virginia Board of Osteopathic Medicine