

Autumn 2011



West Virginia Board of Osteopathy

PROPOSED RULE CHANGE REGARDING USE OF STIMULANTS IN TREATING OBESITY

The WV Board of Osteopathy recognizes that obesity is one of the greatest health concerns for an increasing number of West Virginia citizens and that physicians want tools and methods to deal with this issue. The current Osteopathy Rule, §24-1-18.1.30 prohibits the use of certain stimulant drugs for the treatment of obesity or for the goal of weight loss for more than two weeks at a time. The description of the rule only addresses "Schedule II" controlled substances, but the drugs most commonly used for this purpose are listed on Schedule IV in the WV

Controlled Substances Act. The Board sought to change the rule to include all sympathomimetic amine drugs, which are controlled substances.

Based upon comments received, comparison of rules from other states and publications in medical literature, the West Virginia Board of Osteopathy chooses to modify its rule to require careful screening of prospective patients, establishment of comprehensive weight loss plans, regular monitoring of patients' health and weight, and limited periods of use to prevent the patients' tolerance to the drugs

involved. Drugs approved by the FDA, such as Phentermine, may only be used for the treatment of obesity when they are a component of the treatment regimen listed above. The patient's chart must clearly document that the patient has had no adverse effects from the drug and that they continue to lose weight and remain healthy for a period of sustained use longer than twelve weeks.

The rule is scheduled to be presented for approval during the 2012 Legislative Session. Questions should be referred to the Board Office at (304) 558-6095.



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WV OSTEOPATHY BOARD PRESIDENT APPOINTED TO GOVERNOR'S ADVISORY COUNCIL

Ernest Miller, Jr., D.O., President of the West Virginia Board of Osteopathy was appointed by Governor Earl Ray Tomblin, Jr., to serve on the Advisory Council for Substance Abuse in West Virginia.

On September 6, 2011, Governor Tomblin issued an Executive Order creating six Regional Substance Abuse Task Forces and an Advisory Council to oversee their work. The Advisory Council will provide

guidance on the implementation of the Statewide Substance Abuse Strategic Action Plan with the goal of improving the statewide continuum of education and care for substance abuse; coordinate efforts to increase both public

and private support of substance abuse initiatives; and establish priorities for improving the substance abuse continuum of care.

DISMISSING A PATIENT FROM YOUR PRACTICE

There is not a physician's office in existence that has not experienced conflict with their patients. In today's world, patients are expecting their care quicker, more conveniently and, of course, cheaper. While every office should strive to meet patients' expectations, it is not always possible. In those situations when the patient/physician relationship becomes strained, the time may come when that relationship must be terminated.

The WV Board of Osteopathy does not have a specific rule addressing the manner or grounds for dismissal of a patient, but there are common standards of practice that do apply to the situation. A physician may legally and ethically discontinue treating a patient for just about any reason, apart from a few unlawful grounds such as an act of discrimination or some criminal purpose.

Dismissing a patient merely because the person is "difficult" should be discouraged.

In general, the physician should provide the patient with sufficient notice and make reasonable provisions for the patient's continuity of care.

The Board is hereby providing the following guidelines to be considered when dismissing a patient as the Board looks for these steps as evidence of the physician's reasonable efforts. It is, of course, prudent to check with your own malpractice carrier or attorney before implementing a process or policy on patient dis-

missals.

Things to do:

- 1) Send a certified letter to the patient, 30 days prior to the effective date, clearly communicating the reason(s) for the dismissal. That same information should be documented in the patient's chart. The 30 days clear signs of abandonment;
- 2) The physician should sign the letter informing the patient of the dismissal – Not the Office Staff;
- 3) Keep a copy of the letter in the patient's chart noting the date it was mailed;
- 4) Do not discharge a patient in an acute situation and provide for the coverage of their prescriptions for at least 30 days or some means to titrate their dosages;
- 5) Offer to assist the patient in finding another physician and to forward copies of their medical record to the new provider; and
- 6) Make sure your office staff is aware of the termination and what procedures they should follow per your office policies.

Finally, do not let your emotions or anger with the patient control your motives to dismiss. Take some time, remove yourself from the situation and then decide what is best for your patient and your office practice.

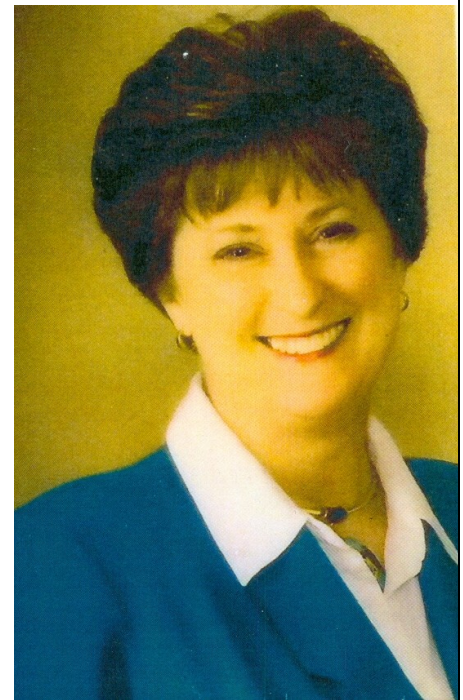


WV BOARD OF OSTEOPATHY EXECUTIVE ELECTED TO AIM BOARD OF DIRECTORS

Diana Shepard, Executive Director of the West Virginia Board of Osteopathy, has been elected to the Board of Directors of Administrators in Medicine. She will be serving as the AIM Southern Representative which includes Alabama, Florida (MD & DO boards), Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee (MD & DO boards), Virgin Islands, Virginia, West Virginia (MD & DO boards).

Organization of the Administrators in Medicine group began in June 1982 to share best practices in improving the operations of medical boards. The early meeting of AIM began with the simple process of sharing license application forms which became the precursor of recent efforts to standardize the licensing process across state lines.

Today, while working closely with the Federation of State Medical Boards, AIM strives to provide educational opportunities through its many programs, services and initiatives.



NEW ADMINISTRATIVE ASSISTANT IN BOARD OFFICE



With the retirement of Christine Wroniak, a vacancy was created in the WV Board of Osteopathy office in Charleston—but not for long! Linda Cottrill has joined the Board Staff as Administrative Assistant with great enthusiasm and love for the osteopathic profession. Many of you may recognize Linda’s voice when calling in to the Board Office as she was employed as the Administrative Assistant to the Dean and also served as the Standardized Patient / OSCE Coordinator at the West Virginia School of Osteopathic Medicine in Lewisburg.

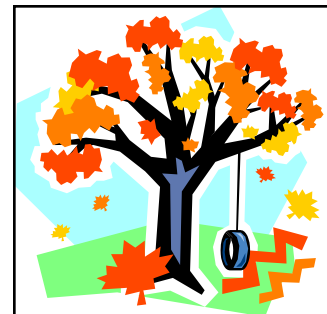
Linda is married to David Cottrill and lives in South Charleston. She is a professional in every sense of the word, and we welcome her to the Board Office family.

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WV Osteopathy Board Members

President: Ernest Miller, Jr., D.O.
Vice President: Robert Whitler
Secretary: Arthur Rubin, D.O.
Physician Member: Joseph Schreiber, D.O.
Lay Member: Elizabeth Blatt, Ph.D.



DISCIPLINARY ACTIONS SINCE MAY 2011 with Board Action Date

Vinson M. DiSanto, D.O.—5/19/11 Consent Order: Reprimand and \$500.00 fine
Charles Bradac, D.O.—5/19/11 Consent Order: Reprimand and \$300.00 fine
Brian Lee Seyler, D.O.—5/19/11 Voluntary Surrender of License while under Investigation
Saoud, Allen G., D.O.—5/25/11 Summary Suspension of License
George P. Naum, III, D.O.—6/8/11 Summary Restriction of license;
6/30/11 License Restriction Rescinded
Charles L. Smith, D.O.—6/30/11 License renewal denied
Suzanne Williams, D.O.—7/25/11 Consent Order; work with collaborating physician for one year and then will be re-evaluated.
Philip Fisher, D.O.—8/26/11 Summary Suspension until further Order of the Board
Jack Mark Levine, D.O.—9/20/11 License Revoked until eligible for licensure in Ohio
Anita Dawson, D.O.—9/20/11 Surrender of License
Angela Basham-Callaway, D.O.—9/20/11 Revocation of License

MEMORIALS

Charles Webb, D.O. 3/6/11
Dennis Small, D.O. 8/10/11

