DRAFT UNAPPROVED

VIRGINIA BOARD OF MEDICINE
SPECIAL CONFERENCE COMMITTEE
MINUTES

Thursday, September 18, 2014	Department of Health Professions Perimeter Center 9960 Mayland Drive, Suite #300	Henrico, Virginia

CALL TO ORDER: A Special Conference Committee of the Board was called to order at 9:00 a.m.

MEMBERS PRESENT:
Frazier Frantz, M.D., Chair
Ray Tuck, D.C.
Kenneth Walker, M.D.

STAFF PRESENT:
Jennifer Deschenes, Deputy Executive Director
Jennie Wood, Discipline Case Manager
Dale Lutke, Adjudication Specialist

MATTER: **Steven M. Horwitz, D.C.** **License No.: 0104-000815**
Case No.: 154021

PRELIMINARY MATTER: The Chair noted that the time was 9:00 a.m. and Dr.Horwitz was noticed to appear before the Committee at 9:00 a.m., and was not present.

Ms. Lutke advised that the Notice had been sent to Dr. Horwitz's address of record with the Board by overnight and 1st class mail.

RULING: Based on the information provided by Ms. Lutke, the Chair determined that proper notice had been provided to Dr. Horwitz, therefore, the informal conference would proceed in his absence.

DISCUSSION: Dr. Horwitz did not appear before the Committee in person in accordance with the Board's Notice of Informal Conference dated July 28, 2014, nor was he represented by legal counsel.

The Committee fully considered the evidence before it and received information from Ms. Lutke regarding the allegations in the Notice.

CLOSED SESSION: Upon a motion by Dr. Walker, and duly seconded by Dr. Tuck, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Dr. Horwitz. Additionally, he moved that Ms. Deschenes and Ms. Wood attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

RECONVENE: Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Committee re-convened in open session and announced its decision.

DECISION: Upon a motion by Dr. Walker, and duly seconded by Dr. Tuck, the Committee made certain findings of fact and conclusions of law and voted to issue Dr. Horwitz a reprimand.

VOTE: The vote was unanimous.

ADJOURNMENT: The Committee adjourned at 10:00 a.m.

As provided by law this decision shall become a Final Order thirty (30) days after service of such Order on Dr. Horwitz, unless a written request to the Board for a formal hearing on the allegations made against him is received from Dr. Horwitz, within such time. If service of the Order is made by mail three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of the Special Conference Committee shall be vacated.

Frazier Frantz, M.D., Chair	William L. Harp, M.D., Executive Director
Date	Date

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MINUTES

Thursday, September 18, 2014 | **Department of Health Professions Perimeter Center 9960 Mayland Drive, Suite #300** | **Henrico, Virginia**

CALL TO ORDER: A Special Conference Committee of the Board was called to order at 2:00 p.m.

MEMBERS PRESENT:
Daniel Rowley, R.R.T., Chair
Kenneth Walker, M.D.
Frazier Frantz, M.D.

STAFF PRESENT:
Jennifer Deschenes, Deputy Executive Director
Jennie Wood, Discipline Case Manager
Julia Bennett, Adjudication Specialist

MATTER: **Nishia Gary, R.C.P.** **License No.: 0117-007047**
Case No.: 152185

DISCUSSION: Ms. Gary appeared before the Committee in person in accordance with a Notice of the Board dated July 30, 2014. Ms. Gary was not represented by counsel.

The Committee fully discussed the allegations in the Notice with Ms. Gary.

CLOSED SESSION: Upon a motion by Dr. Walker, and duly seconded by Dr. Frantz, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Ms. Gary. Additionally, he moved that Ms. Deschenes and Ms. Wood attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

RECONVENE: Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Committee re-convened in open session and announced its decision.

DECISION: Upon a motion by Dr. Walker, and duly seconded by Dr. Frantz, the Committee made certain findings of fact and conclusions of law and voted to issue Ms. Gary a reprimand.

VOTE: The vote was unanimous.

ADJOURNMENT: The Committee adjourned at 3:15 p.m.

As provided by law this decision shall become a Final Order thirty (30) days after service of such Order on Ms. Gary, unless a written request to the Board for a formal hearing on the allegations made against him is received from Ms. Gary, within such time. If service of the Order is made by mail three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of the Special Conference Committee shall be vacated.

Daniel Rowley, R.R.T., Chair	William L. Harp, M.D., Executive Director
Date	Date