

# APPROVED

## VIRGINIA BOARD OF MEDICINE FORMAL HEARING MINUTES

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February 19-20, 2015      Department of Health Professions      Henrico, Virginia  
Perimeter Center  
9960 Mayland Drive, Suite #300

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**CALL TO ORDER:**                      A panel of the Board was called to order at 1:45 p.m.

**MEMBERS PRESENT:**                Kevin O'Connor, M.D., Chair  
Lori Conklin, M.D.  
Frazier Frantz, M.D.  
Syed Ali, M.D.  
Barbara Allison-Bryan, M.D.  
Lorri Kleine, J.D.

**BOARD COUNSEL:**                    Erin Barrett, AAG

**STAFF PRESENT:**                    Barbara Matusiak, M.D., Medical Review Coordinator  
Jennie Wood, Discipline Case Manager

**COURT REPORTER:**                 Denise Holt, Crane Snead & Associates, Inc.

**PARTIES ON BEHALF OF  
COMMONWEALTH:**                 James Schleissmann, Sr. AAG  
LaTonya Hucks, Adjudication Specialist

**COMMONWEALTH  
WITNESSES:**                         Sharron Squires, Sr. Investigator (DHP)  
William A. Petri, Jr., M.D. (expert witness)  
Janet Lewis, M.D. (expert witness)

**MATTER SCHEDULED:**                Leila Zackrison, M.D.                License No.: 0101-045689  
Case No.: 139030

**DISCUSSION:**                         Dr. Zackrison appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated August 11, 2014. Dr. Zackrison was represented by Jacques G. Simon, Esquire, Jason C. Hicks, Esquire and Gregg Skall, Esquire.

The Board received evidence and sworn testimony from witnesses called by the parties and from Dr. Zackrison regarding the allegations in the Notice. Objections on various

issues were made by both parties and rulings were made by the Chair.

**RECESS:** The Board recessed at 9:12 p.m. for the evening and the Chair announced that the hearing regarding Dr. Zackrison would reconvene on Friday, February 20, 2015, at 8:30 a.m.

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**RECONVENE:** The Board reconvened at 8:37 a.m. on Friday, February 20, 2015.

**COURT REPORTER:** Terry Potter, Crane Snead & Associates, Inc.

**DISCUSSION:** Dr. Zackrison continued with her presentation.

**RESPONDENT WITNESSES:** Richard I. Horowitz, M.D. (expert witness)

**DISCUSSION:** Sworn testimony was taken, objections on various issues were made by both parties and rulings were made by the Chair.

**CLOSED SESSION:** Upon a motion by Dr. Allison-Bryan, and duly seconded by Dr. Ali, the Board 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. Zackrison. Additionally, she moved that Ms. Barrett and Ms. Wood attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board 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 Board re-convened in open session and announced its decision.

**DECISION:** Upon a motion by Dr. Ali, and duly seconded by Dr. Allison-Bryan, the Board made certain findings of fact and conclusions of law and voted to issue Dr. Zackrison a reprimand and place her license on probation with certain terms and conditions.

**VOTE:** The vote was 6 for and 1 opposing.

**ADJOURNMENT:** The Board adjourned at 5:29 p.m.

*The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.*



Kevin O'Connor, M.D., Chair

3-11-15

Date



William L. Harp, M.D., Executive Director

3/11/15

Date

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**CALL TO ORDER:**                      A panel of the Board was called to order at 9:33 a.m.

**MEMBERS PRESENT:**                Wayne Reynolds, D.O., Chair  
Kenneth Walker, M.D.  
Jasmine Gore  
Ray Tuck, Jr., D.C.  
Irina Farquhar, Ph.D.  
Deborah DeMoss Fonseca  
David Giammittorio, M.D.

**BOARD COUNSEL:**                    Carrie Mitchell, AAG

**STAFF PRESENT:**                    Jennifer L. Deschenes, Deputy Executive Director, Discipline  
Tamika Hines, Discipline Case Manager

**COURT REPORTER:**                 Jackie Barretta, Crane Snead & Associates, Inc.

**PARTIES ON BEHALF OF  
COMMONWEALTH:**                 Dale Lutke, Adjudication Specialist

**COMMONWEALTH  
WITNESSES:**                         Faye Lemon, Director of Enforcement

**MATTER SCHEDULED:**               Daniel Hoi Shuen Tam, M.D.      License No.: 0101-233792  
Case Nos.: 145898, 155734

**DISCUSSION:**                         The Chair noted that Dr. Tam was not present and the time was currently 9:34 a.m. Dr. Tam had been noticed to appear before the Board at 9:15 a.m. Ms. Lutke presented an affidavit attesting that the Amended Notice had been sent to Dr. Tam's address of record with the Board by overnight and first class mail. The Chair opined proper notice of the proceeding had been provided to Dr. Tam and the formal hearing proceeded in Dr. Tam's absence. The Board received sworn testimony from witnesses called by the Commonwealth.

**CLOSED SESSION:**

Upon a motion by Dr. Tuck, and duly seconded by Ms. Demoss Fonseca, the Board 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. Tam. Additionally, he moved that Ms. Mitchell, Ms. Deschenes and Ms. Hines attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board 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 Board re-convened in open session and announced its decision.

**DECISION:**

Upon a motion by Dr. Walker, and duly seconded by Dr. Tuck, the Board made certain findings of fact and conclusions of law and voted to revoke Dr. Tam's privilege to renew his license.

**VOTE:**

The vote was unanimous.

**ADJOURNMENT:**

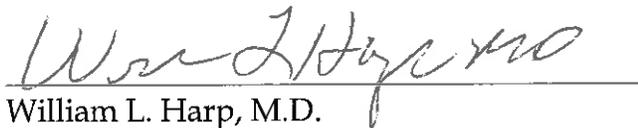
The Board adjourned at 10:49 a.m.

*The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.*



Wayne Reynolds, D.O., Chair  
President

3/11/15  
Date



William L. Harp, M.D.  
Executive Director

3/11/15  
Date

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## **VIRGINIA BOARD OF MEDICINE FORMAL HEARING MINUTES**

---

February 20, 2015      Department of Health Professions      Henrico, Virginia  
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9960 Mayland Drive, Suite #300

---

**CALL TO ORDER:**                      A panel of the Board was called to order at 1:24 p.m.

**MEMBERS PRESENT:**                Wayne Reynolds, D.O., Chair  
Kenneth Walker, M.D.  
Jasmine Gore  
Ray Tuck, Jr., D.C.  
Irina Farquhar, Ph.D.  
Stuart Mackler, M.D.  
Deborah DeMoss Fonseca  
Siobhan Dunnavant, M.D.  
David Giammittorio, M.D.

**BOARD COUNSEL:**                    Carrie Mitchell, AAG

**STAFF PRESENT:**                    William L. Harp, M.D., Executive Director of the Board  
Tamika Hines, Discipline Case Manager

**COURT REPORTER:**                Jackie Barretta, Crane Snead & Associates, Inc.

**PARTIES ON BEHALF OF  
COMMONWEALTH:**                Melanie Pagano, Adjudication Specialist  
Tracy Robinson, Adjudication Specialist

**COMMONWEALTH  
WITNESSES:**                        Helene Kelly, Sr. Investigator (DHP)  
Patricia Sheehan, Sr. Investigator (DHP)

**RESPONDENT WITNESSES:**        Scott C. Zindel, D.P.M. (by phone)  
John Cook, D.P.M.

**MATTER SCHEDULED:**                Ilene Sharon Terrell, D.P.M.              License No.: 0103-000702  
Case Nos.: 153022, 160821

**DISCUSSION:**                        Dr. Terrell appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated January 21, 2015. Dr. Terrell was represented by Jennifer Parrish, Esquire and Justin Fineman, Esquire.

The Board received evidence and sworn testimony from witnesses called by the parties and from Dr. Terrell regarding her petition for reinstatement of her license.

**CLOSED SESSION:**

Upon a motion by Dr. Mackler, and duly seconded by Dr. Dunnavant, the Board 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. Terrell. Additionally, he moved that Ms. Mitchell, Dr. Harp and Ms. Hines attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board 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 Board re-convened in open session and announced its decision.

**DECISION:**

Upon a motion by Dr. Walker, and duly seconded by Dr. Mackler, the Board made certain findings of fact and conclusions of law and voted to reinstate Dr. Terrell's license and issued a reprimand.

**VOTE:**

The vote was unanimous.

**ADJOURNMENT:**

The Board adjourned at 6:37 p.m.

*The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.*



Wayne Reynolds, D.O., Chair  
President

3/11/15

Date



William L. Harp, M.D.  
Executive Director

3/11/15

Date