

# APPROVED

## VIRGINIA BOARD OF MEDICINE SPECIAL CONFERENCE COMMITTEE MINUTES

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September 8, 2016    Department of Health Professions    Henrico, Virginia  
Perimeter Center  
9960 Mayland Drive, Suite #300

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**CALL TO ORDER:**                    A Special Conference Committee of the Board was called to order at 10:40 a.m.

**MEMBERS PRESENT:**            Syed Ali, M.D., Chair  
Svinder Toor, M.D.  
Ray Tuck, D.C.

**STAFF PRESENT:**                Jennie F. Wood, Discipline Case Manager  
Julia Bennett, Adjudication Specialist

**MATTER:**                         Brian Bittner, M.D.                    License No.: 0101-254344  
Case No.: 159371

**PRELIMINARY MATTER:**        The Chair noted that the time was 10:40 a.m. and Dr. Bittner was noticed to appear before the Committee at 10:30 a.m. and was not present.

Ms. Bennett advised that the Notice had been sent to Dr. Bittner's address of record with the Board by overnight and 1<sup>st</sup> class mail.

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

**DISCUSSION:**                    Dr. Bittner did not appear before the Committee in accordance with the Board's Notice of Informal Conference dated June 23, 2016, nor was he represented at the conference by legal counsel.

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

**CLOSED SESSION:**

Upon a motion by Dr. Tuck, and duly seconded by Dr. Toor, 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. Bittner. Additionally, he moved that Ms. Wood attend the closed meeting because her 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. Tuck, and duly seconded by Dr. Toor, the Committee voted to refer this matter to a formal hearing since the suspension or revocation of Dr. Bittner's license may be justified which is not within the authority of the Committee pursuant to §54.1-2400(10) of the Code of Virginia.

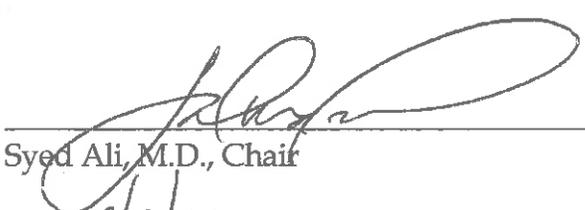
**VOTE:**

The vote was unanimous.

**ADJOURNMENT:**

The Committee adjourned at 11:04 a.m.

*A formal hearing will be scheduled for a future date for a final determination.*

  
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Syed Ali, M.D., Chair

Date

9/8/16  
\_\_\_\_\_  
Date

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

Date

9/8/16  
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Date