

**FINAL APPROVED**

**VIRGINIA BOARD OF MEDICINE  
SPECIAL CONFERENCE COMMITTEE MINUTES**

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<b>Thursday, April 26, 2007</b>	<b>Holiday Inn Select</b>	<b>Roanoke, Virginia</b>
<b>CALL TO ORDER:</b>	A Special Conference Committee of the Board was called to order at 9:30 a.m.	
<b>MEMBERS PRESENT:</b>	Doug Swing, R.R.T., R.C.P., Chair Claudette Dalton, M.D. Valerie Hoffman, D.C.	
<b>STAFF PRESENT:</b>	Jennifer L. Deschenes, Deputy Executive Director, Discipline Barbara Matusiak, M.D., Medical Review Coordinator Michelle Wilson, Adjudication Specialist	
<b>MATTER SCHEDULED:</b>	<b>Tia N. Blankenship, R.C.P.</b>	<b>License No.: 0117-004895 Case No.: 97338</b>
<b>PRELIMINARY MATTERS:</b>	The Chair noted that the time was 9:30 a.m., and Ms. Blankenship was noticed to appear before the Committee at 9:15 a.m. Ms. Wilson advised the Chair that no communication had been received from Ms. Blankenship and presented an affidavit signed by the Executive Director of the Board certifying that the Notice had been sent to Ms. Blankenship's address of record with the Board.	
<b>RULING:</b>	Based on the information and documentation presented by Ms. Wilson, the Chair determined that proper notice had been made to Ms. Blankenship, therefore, the informal conference would proceed in her absence.	
<b>DISCUSSION:</b>	Ms. Blankenship did not appear before the Committee in accordance with a Notice of the Board dated March 14, 2007, nor was she represented by counsel. The Committee received information regarding the issues in the Notice from Ms. Wilson.	
<b>DECISION:</b>	Upon a motion by Dr. Dalton, and duly seconded by Dr. Hoffman, the Committee voted to refer the matter to a formal hearing since the Committee was unable to dispose of this matter within the limits of its authority pursuant to Va. Code §2.2-4019.	

**VOTE:** The vote was unanimous.

**ADJOURNMENT:** The Committee adjourned at 9:57 a.m.

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

/s/ \_\_\_\_\_  
Doug Swing, R.R.T., R.C.P., Chair

/s/ \_\_\_\_\_  
William L. Harp, M.D., Executive Director

6/22/2007  
Date

7/30/2007  
Date

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**CALL TO ORDER:** A Special Conference Committee of the Board was called to order at 10:30 a.m.

**MEMBERS PRESENT:** Claudette Dalton, M.D.  
Valerie Hoffman, D.C.  
General Clara Adams-Ender, R.N.

**STAFF PRESENT:** Jennifer L. Deschenes, Deputy Executive Director, Discipline  
Barbara Matusiak, M.D., Medical Review Coordinator  
Michelle Wilson, Adjudication Specialist

**MATTER SCHEDULED:** Lawrence Wallace, M.D. License No.: 0101-234728  
Case No.: 112307

**DISCUSSION:** Dr. Wallace appeared before the Committee in person in accordance with a Notice of the Board dated March 14, 2007. Dr. Wallace was not represented by counsel. The Committee fully reviewed and discussed with Dr. Wallace, his compliance with the Board's Order entered June 9, 2006.

**CLOSED SESSION:** Upon a motion by Dr. Dalton, and duly seconded by Gen. Adams-Ender, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A(28) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Dr. Wallace. Additionally, she moved that Ms. Deschenes & Dr. Matusiak 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 Committee re-convened in open session and announced its decision.

**DECISION:** Upon a motion by Dr. Dalton, and duly seconded by Gen. Adams-Ender, the Committee made certain Findings of Fact and Conclusions of Law and voted to place Dr. Wallace’s license on certain terms and conditions.

**VOTE:** The vote was unanimous.

**ADJOURNMENT:** The Committee adjourned at 1:00 p.m.

*As provided by law this decision shall become a Final Order thirty (30) days after service of such Order on Dr. Wallace, unless a written request to the Board for a formal hearing on the allegations made against him is received from Dr. Wallace, 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.*

/s/ \_\_\_\_\_  
Claudette Dalton, M.D., Chair

/s/ \_\_\_\_\_  
William L. Harp, M.D., Executive Director

6/28/2007  
Date

7/30/2007  
Date

**CALL TO ORDER:** A Special Conference Committee of the Board was called to order at 1:15 p.m.

**MEMBERS PRESENT:** General Clara Adams-Ender, R.N., Chair  
Claudette Dalton, M.D.  
Valerie Hoffman, D.C.

**STAFF PRESENT:** Jennifer L. Deschenes, Deputy Executive Director, Discipline  
Barbara Matusiak, Medical Review Coordinator  
Michelle Wilson, Adjudication Specialist

**OTHERS PRESENT:** Jessica Hechman  
Debbie Rivero

**MATTER SCHEDULED:** **Jose M. Rivero, M.D. License No.: 0101-056861**  
**Case No.: 104682**

**DISCUSSION:** Dr. Rivero appeared before the Committee in person in accordance with a Notice of the Board dated March 14, 2007. Dr. Rivero was represented by James C Turk, Esquire. The

Committee fully discussed the allegations in the Notice with Dr. Rivero.

**CLOSED SESSION:**

Upon a motion by Dr. Dalton, and duly seconded by Dr. Hoffman, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A(28) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Dr. Rivero. Additionally, she moved that Ms. Deschenes and Dr. Matusiak attend the closed meeting because his 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 Committee re-convened in open session and announced its decision.

**DECISION:**

Upon a motion by Dr Dalton, and duly seconded by Dr. Hoffman, the Committee made certain Findings of Fact and Conclusions of Law and voted to imposed no sanction.

**VOTE:**

The vote was unanimous.

**ADJOURNMENT:**

The Committee adjourned at 2:15 p.m.

*As provided by law this decision shall become a Final Order thirty (30) days after service of such Order on Dr. Rivero, unless a written request to the Board for a formal hearing on the allegations made against him is received from Dr. Rivero, 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.*

/s/ \_\_\_\_\_  
General Clara Adams-Ender, R.N., Chair

/s/ \_\_\_\_\_  
William L. Harp, M.D., Executive Director

6/21/2007  
Date

7/30/2007  
Date

**CALL TO ORDER:**

A Special Conference Committee of the Board was called to order at 2:30 p.m.

**MEMBERS PRESENT:**

Claudette Dalton, M.D., Chair  
Valerie Hoffman, D.C.  
General Clara Adams-Ender, R.N.

**STAFF PRESENT:**

Jennifer L. Deschenes, Deputy Executive Director, Discipline

Barbara Matusiak, Medical Review Coordinator  
Michelle Wilson, Adjudication Specialist

**MATTER SCHEDULED:** Gary T. Kirchhoff, M.D. License No.: 0101-212342  
Case Nos.: 105316, 105317

**DISCUSSION:** Dr. Kirchhoff appeared before the Committee in person in accordance with a Notice of the Board dated February 27, 2007. Dr. Kirchhoff was represented by Jonathan M. Petty, Esquire. The Committee fully reviewed and discussed the allegations in the Notice with Dr. Kirchhoff.

**CLOSED SESSION:** Upon a motion by Dr. Hoffman, and duly seconded by Gen. Adams-Ender, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A(28) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Dr. Kirchhoff. Additionally, she moved that Ms. Deschenes & Dr. Matusiak attend the closed meeting because his 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 Committee re-convened in open session and announced its decision.

**DECISION:** Upon a motion by Gen. Adams-Ender, and duly seconded by Dr. Hoffman, the Committee made certain Findings of Fact and Conclusions of Law and voted continue the matter generally on terms and conditions.

**VOTE:** The vote was unanimous.

**ADJOURNMENT:** The Committee adjourned at 5:20 p.m.

*As provided by law this decision shall become a Final Order thirty (30) days after service of such Order on Dr. Kirchhoff, unless a written request to the Board for a formal hearing on the allegations made against him is received from Dr. Kirchhoff, 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.*

/s/ \_\_\_\_\_  
Claudette Dalton, M.D., Chair

/s/ \_\_\_\_\_  
William L. Harp, M.D., Executive Director

6/28/2007  
Date

7/30/2007  
Date