

APPROVED
VIRGINIA BOARD OF MEDICINE
FORMAL HEARING MINUTES OCTOBER 20, 2023

*Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 201
Henrico, VA*

CALL TO ORDER: A panel of the Board was called to order at 9:05 a.m.

MEMBERS PRESENT: J. Randolph Clements, D.P.M., Chair, President
Denver Supinger, RT
Peter Apel, M.D.
Hazem Elariny, M.D.
Oliver Kim, J.D.
Jennifer Rathmann, D.C.
Joel Silverman, M.D.

BOARD COUNSEL: M. Brent Saunders, Senior Assistant Attorney General

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

COURT REPORTER: Juan Ortega, Ortega International Reporting

PARTIES ON BEHALF OF COMMONWEALTH: Scott Pearl, Adjudication Specialist

COMMONWEALTH WITNESSES: Kelly D. Ashley, Sr. Investigator, DHP
Amy Ressler, Program Administrative Director HPMP

RESPONDENT WITNESSES: Antoine Richard
Angela Haywood


MATTER SCHEDULED: **Marie L. Richard, R.T.** License No.: 0117-006282
Case No.: 214716

DISCUSSION: Ms. Richard appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated May 11, 2023. Ms. Richard was represented by Elizabeth D. Coleman, Esquire.

The Board received evidence and sworn testimony from witnesses called by the parties and from Ms. Richard regarding the allegations in the Notice.

- CLOSED SESSION:** Upon a motion by Dr. Apel, and duly seconded by Ms. Supinger, 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 Ms. Richard. Additionally, he moved that Mr. Saunders, 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. Apel, and duly seconded by Ms. Supinger, the Board made certain findings of fact and conclusions of law and voted to issue Ms. Richard a reprimand and place her license on probation with terms.
- VOTE:** The vote was unanimous.
- ADJOURNMENT:** The Board adjourned at 1:22 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.



William L. Harp, M.D.
Executive Director
10/23/23

Date

APPROVED
VIRGINIA BOARD OF MEDICINE
SPECIAL CONFERENCE COMMITTEE MINUTES OCTOBER 20, 2023

*Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 201
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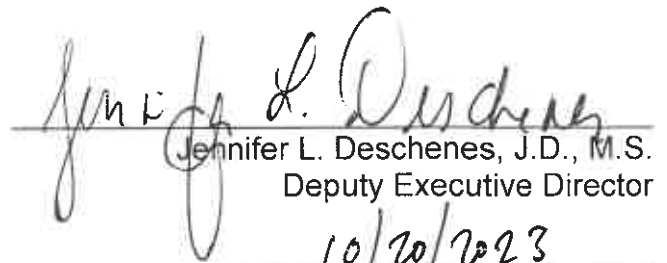
- CALL TO ORDER:** A Special Conference Committee of the Board was called to order at 2:04 p.m.
- MEMBERS PRESENT:** William Hutchens, M.D., Chair
L. Blanton Marchese
Jacob Miller, D.O.
- STAFF PRESENT:** Jennifer L. Deschenes, Deputy Executive Director, Discipline
Jennie F. Wood, Case Manager, Discipline
Scott Pearl, Adjudication Specialist
- MATTER:** **Kyle Alexander Smith, M.D. License No.: 0101-261741**
Case No.: 228871
- DISCUSSION:** Dr. Smith appeared before the Committee in person in accordance with a Notice of the Board dated June 14, 2023. Dr. Smith was represented by Edward A. Gonsalves, Esquire.
- The Committee fully discussed Dr. Smith's petition for release from the Order of the Board entered June 26, 2019.
- CLOSED SESSION:** Upon a motion by Mr. Marchese, and duly seconded by Dr. Miller, 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. Smith. 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 Mr. Marchese, and duly seconded by Dr. Miller, the Committee voted to refer this matter to a formal hearing which will be held pursuant to §2.2-4020 and §2.2-4021.

VOTE: The vote was unanimous.

ADJOURNMENT: The Committee adjourned at 3:02 p.m.

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


Jennifer L. Deschenes, J.D., M.S.
Deputy Executive Director
10/20/2023
Date