

**APPROVED**

**VIRGINIA BOARD OF MEDICINE  
FORMAL HEARING MINUTES**

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February 17, 2017      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 9:06 a.m.

**MEMBERS PRESENT:**                Barbara Allison-Bryan, M.D., Chair  
Kevin O'Connor, M.D.  
Maxine Lee, M.D.  
David Giammittorio, M.D.  
Jane Hickey, J.D.  
Kenneth Walker, M.D.  
Lori Conklin, M.D.  
Alvin Edwards, Ph.D.

**BOARD COUNSEL:**                    Erin Barrett, Assistant Attorney General

**STAFF PRESENT:**                    Jennifer L. Deschenes, Deputy Executive Director, Discipline  
Jennie F. Wood, Case Manager, Discipline

**COURT REPORTER:**                Mary Treta, Crane Snead & Associates, Inc.

**PARTIES ON BEHALF OF  
COMMONWEALTH:**                Frank Pedrotty, Sr. Assistant Attorney General  
Melanie Pagano, Adjudication Specialist

**COMMONWEALTH  
WITNESSES:**                        Marcella Luna, Sr. Investigator, DHP

**MATTER SCHEDULED:**            **M. Michael Massumi, M.D.**            **License No.: 0101-047873**  
**Case No.: 173367**

**DISCUSSION:**                        Dr. Massumi appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated September 22, 2016. Dr. Massumi was not represented by counsel.

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

**CLOSED SESSION:**

Upon a motion by Dr. Walker, and duly seconded by Dr. Edwards, 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. Massumi. Additionally, he moved that Ms. Barrett, Ms. Deschenes 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. O'Connor, and duly seconded by Dr. Conklin, the Board made certain findings of fact and conclusions of law and voted to deny Dr. Massumi's petition for reinstatement.

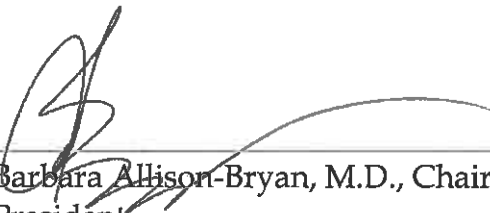
**VOTE:**

The vote was 5-3 with Dr. Edwards, Dr. Giammittorio and Dr. Walker voting no.


**ADJOURNMENT:**

The Board adjourned at 12:24 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.*

  
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Barbara Allison-Bryan, M.D., Chair  
President

3/30/17  
\_\_\_\_\_  
Date

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

3/30/17  
\_\_\_\_\_  
Date