DRAFT UNAPPROVED

VIRGINIA BOARD OF MEDICINE
FORMAL HEARING MINUTES

October 23, 2015	Department of Health Professions Perimeter Center 9960 Mayland Drive, Suite #300	Henrico, Virginia

CALL TO ORDER: A panel of the Board was called to order at 8:54 a.m.

MEMBERS PRESENT:
Kevin O'Connor, M.D., Chair
Jane Hickey, J.D.
David Giammittorio, M.D.
Wayne Reynolds, D.O.
Syed Ali, M.D.
J. Randolph Clements, D.P.M.
Svinder Toor, M.D.

BOARD COUNSEL: Carrie Mitchell, AAG

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

COURT REPORTER: Juan Ortega, Crane Snead & Associates, Inc.

PARTIES ON BEHALF OF COMMONWEALTH:
Corie Wolf, AAG
Dale Lutke, Adjudication Specialist

COMMONWEALTH WITNESSES: James Wall, Senior Investigator

MATTER SCHEDULED: **Felix E. Shepard, Jr., M.D.** **License No.: 0101-053138**
Case No.: 150915

DISCUSSION: Dr. Shepard appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated July 21, 2015. Dr. Shepard was represented by Christopher Stevens, Esquire, and Terry Kilgore, Esquire.

PRELIMINARY Dr. Clements noted he was neighbors with Respondent's Attorney, Christopher Stevens, but that it would not affect his

ability to fairly review and adjudicate the issues before the panel. The panel was polled and unanimously agreed to Dr. Clements remaining on the formal hearing panel.

The Board received evidence and sworn testimony from the Commonwealth's witness and from Dr. Shepard regarding the allegations in the Notice.

CLOSED SESSION: Upon a motion by Dr. Clements, and duly seconded by Dr. Reynolds, 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. Shepard. Additionally, he moved that Ms. Mitchell, 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. Clements, and duly seconded by Dr. Reynolds, the Board made certain findings of fact and conclusions of law and voted to continue Dr. Shepard's license on indefinite suspension for at least twelve months.

VOTE: The vote was unanimous.

ADJOURNMENT: The Board adjourned at 12:37 p.m.

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Kevin O'Connor, M.D., Chair
President

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Date

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

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Date