

**APPROVED**  
**VIRGINIA BOARD OF MEDICINE**  
**FORMAL HEARING MINUTES OCTOBER 14-15, 2021**  
*Department of Health Professions*  
*Perimeter Center*  
*9960 Mayland Drive, Suite 201*  
*Henrico, VA*

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**CALL TO ORDER:** A panel of the Board was called to order at 1:03 p.m.

**MEMBERS PRESENT:** James Arnold, D.P.M., Chair  
David Archer, M.D.  
Amanda Barner, M.D.  
Manjit Dhillon, M.D.  
Milly Rambhia, M.D.  
Brenda Stokes, M.D.  
Khaliq Zahir, M.D.

**BOARD COUNSEL:** Erin Barrett, AAG

**STAFF PRESENT:** William L. Harp, M.D., Executive Director of the Board  
Jennie F. Wood, Case Manager, Discipline

**COURT REPORTER:** Colleen Gregory-Gettel, Veteran Reporters – October 14, 2021  
Renee Larkin, Veteran Reporters – October 15, 2021

**PARTIES ON BEHALF OF COMMONWEALTH:** Michael Parsons, Adjudication Specialist

**COMMONWEALTH WITNESSES:** Amy Tanner, Sr. Investigator (DHP)

**RESPONDENT WITNESSES:** Albert Arias, M.D.

**MATTER SCHEDULED:** Ray Wallace Mettetal, Jr., M.D. License No.: 0101-047877  
Case No.: 182867

**DISCUSSION:** Dr. Mettetal appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated August 16, 2021. Dr. Mettetal was represented by Robert Harrison Gibbs, Jr., Esquire and Elizabeth Coleman, Esquire.

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

**CLOSED SESSION:**

Upon a motion by Dr. Barner, and duly seconded by Dr. Dhillon, 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. Mettetal. Additionally, she moved that Ms. Barrett, Dr. Harp 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.

**RECESS:**

The formal hearing recessed at 12:20 a.m. for the night and The Chair announced that the hearing regarding Dr. Mettetal would reconvene on Friday, October 15, 2021, at 9:00 a.m.



**RECONVENE:**

The Board reconvened at 9:00 a.m. on Friday, October 15, 2021.

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. Barner, and duly seconded by Dr. Archer, the Board made certain findings of fact and conclusions of law and voted to place Dr. Mettetal's license on probation.

**VOTE:**

The vote was unanimous.

**ADJOURNMENT:**

The Board adjourned at 10:39 a.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.*

  
\_\_\_\_\_  
James Arnold, D.P.M., Chair

Date

12/9/21

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

Date

12/9/21

**APPROVED**  
**VIRGINIA BOARD OF MEDICINE**  
**FORMAL HEARING MINUTES OCTOBER 15, 2021**  
*Department of Health Professions*  
*Perimeter Center*  
*9960 Mayland Drive, Suite 201*  
*Henrico, VA*

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**CALL TO ORDER:** A panel of the Board was called to order at 11:01 a.m.

**MEMBERS PRESENT:** Khalique Zahir, M.D., Chair  
James Arnold, M.D.  
Alvin Edwards, Ph.D.  
Madge Ellis, M.D.  
Jane Hickey, J.D.  
L. Blanton Marchese  
Jacob Miller, D.O.

**BOARD COUNSEL:** Erin Barrett, AAG

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

**COURT REPORTER:** Renee Larkin, Veteran Reporters

**PARTIES ON BEHALF OF COMMONWEALTH:** Michael Parsons, Adjudication Specialist

**COMMONWEALTH WITNESSES:** Sarah Rogers, Sr. Investigator (DHP)

**RESPONDENT WITNESSES:** Malinda Amburn  
Mark Norman, CSAC  
Ryan Minnix, DNP

**MATTER SCHEDULED:** **David Campbell Gerlach, M.D. License No.: 0101-260820**  
**Case Nos.: 181110, 212178**

**DISCUSSION:** Dr. Gerlach appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated August 31, 2021. Dr. Gerlach was not represented by counsel.

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

**CLOSED SESSION:**

Upon a motion by Dr. Edwards, and duly seconded by Mr. Marchese, 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. Gerlach. 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 Mr. Marchese, and duly seconded by Dr. Edwards, the Board made certain findings of fact and conclusions of law and voted to reinstate Dr. Gerlach's license on terms and conditions.

**VOTE:**

The vote was unanimous.

**ADJOURNMENT:**

The Board adjourned at 1:56 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.*



Khalique Zahir, M.D., Chair

11/10/2021

Date



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

12/9/21

Date

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**CALL TO ORDER:** A panel of the Board was called to order at 2:08 p.m.

**MEMBERS PRESENT:** L. Blanton Marchese, Chair  
James Arnold, M.D.  
Alvin Edwards, Ph.D.  
Madge Ellis, M.D.  
Jane Hickey, J.D.  
Jacob Miller, D.O.  
Khaliq Zahir, M.D.

**BOARD COUNSEL:** Erin Barrett, AAG

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

**COURT REPORTER:** Rénee Larkin, Veteran Reporters

**PARTIES ON BEHALF OF COMMONWEALTH:** Erin Weaver, AAG  
Shevaun Roukous, Adjudication Specialist

**COMMONWEALTH WITNESSES:** Jessica Wilkerson, Sr. Investigator (DHP) (by phone)  
Rebecca Britt, Case Manager, HPMP

**MATTER SCHEDULED:** Michael Dean Hess, D.C. License No.: 0104-556449  
Case No.: 200639

**DISCUSSION:** The Chair noted that Dr. Hess was not present and the time was currently 2:09 p.m. Dr. Hess had been noticed to appear before the Board at 11:00 a.m. Ms. Weaver presented an affidavit attesting that the Notice had been sent to Dr. Hess's address of record with the Board by overnight and first class mail. The Chair opined proper notice of the proceeding had been provided to Dr. Hess and the formal hearing proceeded in Dr. Hess's absence. The Board received sworn testimony from witnesses called by the Commonwealth.

**CLOSED SESSION:**

Upon a motion by Dr. Arnold, 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. Hess. 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. Ellis, and duly seconded by Ms. Hickey, the Board made certain findings of fact and conclusions of law and voted to continue Dr. Hess's license on indefinite suspension.

**VOTE:**

The vote was unanimous.

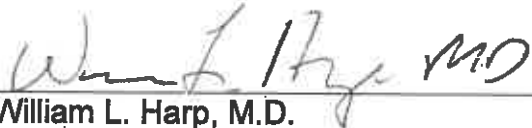
**ADJOURNMENT:**

The Board adjourned at 2:34 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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L. Blanton Marchese, Chair  
President

10/27/2021  
Date

  
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William L. Harp, M.D.  
Executive Director

12/9/21  
Date