

**APPROVED**  
**VIRGINIA BOARD OF MEDICINE**  
**FORMAL HEARING MINUTES SEPTEMBER 16, 2022**

*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 10:53 a.m.

**MEMBERS PRESENT:** David Archer, M.D., Chair  
Oliver Kim, J.D.  
Joel Silverman, M.D.  
Krishna Madiraju, M.D.  
Blanton Marchese  
Jennifer Rathmann, D.C.

**BOARD COUNSEL:** M. Brent Saunders, AAG  
Jim Rutkowski, AAG

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

**COURT REPORTER:** Kim Taylor, Farnsworth & Taylor Reporting, LLC

**PARTIES ON BEHALF OF COMMONWEALTH:** Tracy Robinson, Adjudication Specialist

**COMMONWEALTH WITNESSES:** Gayle Miller, Sr. Investigator, DHP

**RESPONDENT WITNESSES:** Mrs. Howard Mahoney

**MATTER SCHEDULED:** **Howard Kyle Mahoney, M.D.** License No.: 0101-248158  
Case No.: 170853

**DISCUSSION:** Dr. Mahoney appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated December 7, 2021. Dr. Mahoney was not represented by counsel.

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

**CLOSED SESSION:**

Upon a motion by Dr. Rathmann, 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. Mahoney. Additionally, she moved that Mr. Saunders, Mr. Rutkowski, 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. Rathmann, the Board made certain findings of fact and conclusions of law and voted to suspend Dr. Mahoney's right to renew for at least 24 months.

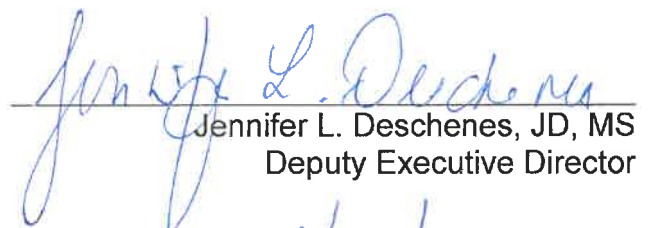
**VOTE:**

The vote was 5-1.

**ADJOURNMENT:**

The Board adjourned at 1:46 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.*

  
Jennifer L. Deschenes, JD, MS  
Deputy Executive Director

  
Date