

APPROVED
VIRGINIA BOARD OF MEDICINE
FORMAL HEARING MINUTES FEBRUARY 24, 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 9:03 a.m.

MEMBERS PRESENT: L. Blanton Marchese, Chair, President
David Archer, M.D.
J. Randolph Clements, D.P.M.
Alvin Edwards, Ph.D.
Pradeep Pradhan, M.D.
Rebecca Keith, Radiologic Technologist

BOARD COUNSEL: James Rutkowski, Senior Assistant Attorney General

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

COURT REPORTER: William Darden, Jr., CTR, Veteran Reporters

PARTIES ON BEHALF OF COMMONWEALTH: Victoria Hinton, Adjudication Specialist

COMMONWEALTH WITNESSES: Kimberly H. Martin, RN, Sr., Investigator, DHP
Kimberly Newton, RN, Director of Acute Care Services and Cancer Center at Chesapeake Regional Medical Center

MATTER SCHEDULED: **Heather Leigh Pernell, Radiologic Technologist**
License No.: 0120-010153 **Case No.: 222367**

DISCUSSION: The Chair noted that Ms. Pernell was not present and the time was currently 9:05 a.m. Ms. Pernell had been noticed to appear before the Board at 9:00 a.m. Ms. Hinton presented an affidavit attesting that the Notice had been sent to Ms. Pernell'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 Ms. Pernell and the formal hearing proceeded in Ms. Pernell's absence. The Board received sworn testimony from witnesses called by the Commonwealth.

CLOSED SESSION: Upon a motion by Dr. Archer, 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 Ms. Pernell. Additionally, he moved that 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.

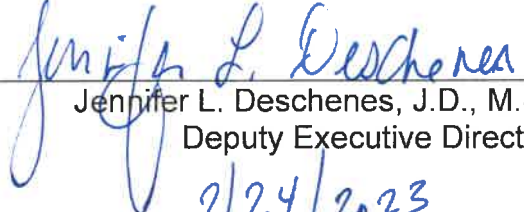
RECONVENE: Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and announced its decision.

DECISION: Upon a motion by Dr. Archer, and duly seconded by Ms. Keith, the Board made certain findings of fact and conclusions of law and voted to continue Ms. Pernell's license on indefinite supervision.

VOTE: The vote was unanimous.

ADJOURNMENT: The Board adjourned at 9:43 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.



Jennifer L. Deschenes, J.D., M.S.
Deputy Executive Director
2/24/2023

Date

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VIRGINIA BOARD OF MEDICINE
FORMAL HEARING MINUTES FEBRUARY 24, 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 9:03 a.m.

MEMBERS PRESENT: Karen Ransone, M.D., Chair
Peter Apel, M.D.
Jane Hickey, J.D.
William Hutchens, M.D.
Oliver Kim, J.D.
Krishna Madiraju, M.D.
Joel Silverman, M.D.
Ryan Williams, M.D.

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

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

COURT REPORTER: Juan Ortega, Ortega International Reporting

PARTIES ON BEHALF OF COMMONWEALTH: David Robinson, Assistant Attorney General
Scott Pearl, Adjudication Specialist

COMMONWEALTH WITNESSES: Steven Keene, Sr. Investigator, DHP
Edward A. Peck, III, Ph.D., ABPP-CN
Norman Bernstein, M.D.

MATTER SCHEDULED: **Ibrahim Abu Munkaila, M.D. License No.: 0101-235182**
Case No.: 212216

DISCUSSION: Dr. Munkaila appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated November 18, 2022. Dr. Munkaila was represented by Bradley D. Simon, Esquire and Stephen D. Charnoff, Esquire.

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

Dr. Munkaila did not testify.

CLOSED SESSION: Upon a motion by Dr. Apel, and duly seconded by Dr. Williams, 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. Munkaila. Additionally, he moved that Mr. Saunders, Ms. Booberg, 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. Hutchens, and duly seconded by Dr. Williams, the Board made certain findings of fact and conclusions of law and voted to place Dr. Munkaila's license on probation with terms and conditions.

VOTE: The vote was unanimous.

ADJOURNMENT: The Board adjourned at 2:29 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
2/28/23

Date