

APPROVED
VIRGINIA BOARD OF MEDICINE
FORMAL HEARING MINUTES JANUARY 5, 2024
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 10:21 a.m.

MEMBERS PRESENT: J. Randolph Clements, D.P.M., President, Chair
Peter Apel, M.D.
Thomas Corry
Manjit Dhillon, M.D.
Pradeep Pradhan, M.D.
Jennifer Rathmann, D.C.

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

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

COURT REPORTER: Juan Ortega

PARTIES ON BEHALF OF COMMONWEALTH: Scott Pearl, Adjudication Specialist

MATTER SCHEDULED: **Kyle Alexander Smith, M.D.** License No.: 0101-261741
Case No.: 228871

DISCUSSION: Dr. Smith appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated November 1, 2023. Dr. Smith was represented by Edward Gonsalves, Esquire.

The Board received evidence and sworn testimony from Dr. Smith regarding the allegations in the Notice.

CLOSED SESSION: Upon a motion by Dr. Apel, and duly seconded by Dr. Pradhan, 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. Smith. Additionally, he moved that Mr. Saunders, 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. Dhillon, and duly seconded by Dr. Rathmann to remove the restriction; a roll call vote was held with Doctors Dhillon, Rathmann and Pradhan voting to remove the restriction. Dr. Apel, Dr. Clements and Mr. Corry voted to deny the restriction removal; therefore, the motion did not carry. The Board made certain findings of fact and conclusions of law and the restriction remains in place.

VOTE: The vote was 3-3.

ADJOURNMENT: The Board adjourned at 12:02 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

1/5/24

Date