

APPROVED

VIRGINIA BOARD OF MEDICINE SPECIAL CONFERENCE COMMITTEE MINUTES

January 24, 2018 Department of Health Professions Henrico, Virginia
 Perimeter Center
 9960 Mayland Drive, Suite #300

CALL TO ORDER: A Special Conference Committee of the Board was called to order at 9:12 a.m.

MEMBERS PRESENT: Kevin O'Connor, M.D., Chair
 David Giammittorio, M.D.
 David Taminger, M.D.

STAFF PRESENT: Jennie F. Wood, Case Manager, Discipline
 Tracy Robinson, Adjudication Specialist

OTHERS PRESENT: Attorney Gary Byler, Eddie and Sheri Sciortino, Lexie Sciortino, Dee Poliminie, Lexii Steward, Lauren Amicone, Alex Sheppard, Chaz Gatewood, Michele Fowler, Jordan Halpern, Cynthia Byler

MATTER: **Jim-David Gaglione, M.D. License No.: 0101-048671**
 Case Nos.: 160736, 161688

PRELIMINARY MATTER: The Chair noted that the time was 9:14 a.m. and Dr. Gaglione was noticed to appear before the Committee at 9:00 a.m. and was not present.

 Ms. Robinson advised that the Notice had been sent to Dr. Gaglione's address of record with the Board by overnight and First Class mail.

RULING: Based on the information provided by Ms. Robinson, the Chair determined that proper notice had been provided to Dr. Gaglione, therefore, the informal conference would proceed in his absence.

DISCUSSION: Dr. Gaglione did not appear before the Committee in accordance with the Board's Amended Notice of Informal Conference dated November 27, 2017.

The Committee fully considered the evidence before it and received information from Ms. Robinson regarding the allegations in the Notice.

CLOSED SESSION:

Upon a motion by Dr. Giammittorio, and duly seconded by Dr. Taminger, the Committee 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. Gaglione. Additionally, he moved that Ms. Wood attend the closed meeting because her presence in the closed meeting was deemed necessary and would aid the Committee 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 Committee re-convened in open session and announced its decision.

DECISION:

Upon a motion by Dr. Taminger, and duly seconded by Dr. Giammittorio, the Committee voted to refer this matter to a formal hearing since the suspension or revocation of Dr. Gaglione's license may be justified which is not within the authority of the Committee pursuant to §54.1-2400(10) of the Code of Virginia.

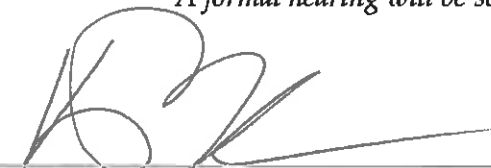
VOTE:

The vote was unanimous.

ADJOURNMENT:

The Committee adjourned at 9:35 a.m.

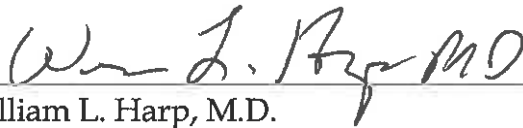
A formal hearing will be scheduled for a future date for a final determination.



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

2-6-18

Date



William L. Harp, M.D.
Executive Director

2/15/18

Date

APPROVED

**VIRGINIA BOARD OF MEDICINE
SPECIAL CONFERENCE COMMITTEE
MINUTES**

January 24, 2018 Department of Health Professions Henrico, Virginia
Perimeter Center
9960 Mayland Drive, Suite #300

CALL TO ORDER: A Special Conference Committee of the Board was called to order at 9:46 a.m.

MEMBERS PRESENT: David Taminger, M.D., Chair
David Giammittorio, M.D.
Kevin O'Connor, M.D.

STAFF PRESENT: Jennifer L. Deschenes, Deputy Executive Director, Discipline
Melanie Pagano, Adjudication Specialist

MATTER: **Augustus Hill, M.D.** **License No.: 0101-052319**
Case No.: 160157

PRELIMINARY MATTER: The Chair noted that the time was 9:47 a.m. and Dr. Hill was noticed to appear before the Committee at 9:00 a.m. and was not present.

Ms. Pagano advised that the Notice had been sent to Dr. Hill's address of record with the Board by overnight and First Class mail.

RULING: Based on the information provided by Ms. Pagano, the Chair determined that proper notice had been provided to Dr. Hill, therefore, the informal conference would proceed in his absence.

DISCUSSION: Dr. Hill did not appear before the Committee in accordance with the Board's Notice of Informal Conference dated December 6, 2017, nor was he represented at the conference by legal counsel.

The Committee fully considered the evidence before it and received information from Ms. Pagano regarding the allegations in the Notice.

CLOSED SESSION:

Upon a motion by Dr. O'Connor, and duly seconded by Dr. Giammittorio, the Committee 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. Hill. Additionally, he moved that Ms. Deschenes attend the closed meeting because her presence in the closed meeting was deemed necessary and would aid the Committee 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 Committee re-convened in open session and announced its decision.

DECISION:

Upon a motion by Dr. O'Connor, and duly seconded by Dr. Giammittorio, the Committee voted to refer this matter to a formal hearing since the suspension or revocation of Dr. Hill's license may be justified which is not within the authority of the Committee pursuant to §54.1-2400(10) of the Code of Virginia.

VOTE:

The vote was unanimous.

ADJOURNMENT:

The Committee adjourned at 9:59 a.m.

A formal hearing will be scheduled for a future date for a final determination.



David Taminger, M.D., Chair

Date



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

Date