

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: DAVID ELLIS HIATT, M.D.
License No.: 0101-045403

CONSENT ORDER

The Virginia Board of Medicine ("Board") and David Ellis Hiatt, M.D., as evidenced by their signatures affixed below, agree to enter into this Consent Order affecting the license of Dr. Hiatt to practice medicine and surgery in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Board adopts the following findings and conclusions in this matter:

1. David Ellis Hiatt, M.D., was issued license number 0101-045403 by the Board to practice medicine and surgery in the Commonwealth of Virginia on June 29, 1990. Said license is currently active and will expire on September 30, 2014, unless renewed or otherwise restricted.

2. Dr. Hiatt violated Sections 54.1-2915.A(3), (13), (16) and (17), 54.1-3303.A and 54.1-3408.A of the Code, in that, by his own admission, he continued to prescribe the following controlled substances on numerous occasions to Patient A, for a period from 2009, when the patient permanently relocated to another state until April, 2013, during which period the patient had no face-to-face contact with Dr. Hiatt.:

- dextroamphetamine and amphetamine (Adderall) - C-II
- dextroamphetamine (Dexedrine) - C-II
- trazodone (Desyrel) - C-VI
- ziprasidone (Geodon) - C-VI
- escitalopram (Lexapro) - C-VI
- topiramate (Topamax) - C-VI

3. Dr. Hiatt explained that he had been Patient A's treating psychiatrist for more than twenty years, and had established a good physician/patient relationship with her. When she moved from Virginia to New York, Dr. Hiatt continued to have telephone sessions with her and to correspond by electronic and regular mail. Dr. Hiatt explained that the medications he was prescribing were those established over many years of treatment to best address the patient's narcolepsy and chronic fatigue syndrome. Dr. Hiatt informed the investigator from the Department of Health Professions that he had stopped writing prescriptions for Patient A as of April 23, 2013, and had provided her prescription records to a physician in New York who would assume her care and treatment.

CONSENT

I, David Ellis Hiatt, M.D., by affixing my signature hereto, acknowledge that:

1. I have been advised specifically to seek the advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me, except pursuant to the Virginia Administrative Process Act, § 2.2-4000.A et seq. of the Code of Virginia;
3. I have the following rights, among others:
 - a. the right to an informal conference before the Board; and
 - b. the right to appear in person or by counsel, or other qualified representative before the agency.
4. I waive all rights to an informal conference;

5. I neither admit nor deny the truth of the above Findings of Fact contained herein and agree not to contest the Findings of Fact, Conclusions of Law or any sanction in any future judicial or administrative proceedings where the Board is a party; and

6. I consent to the following Order affecting my license to practice medicine in the Commonwealth of Virginia.


ORDER

WHEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, and with the consent of the licensee, it is hereby ORDERED that David Ellis Hiatt, M.D., be, and hereby is, issued a REPRIMAND.

Dr. Hiatt shall maintain a course of conduct in his practice of medicine commensurate with the requirements of Title 54.1, Chapter 29 of the Code and all laws of the Commonwealth.

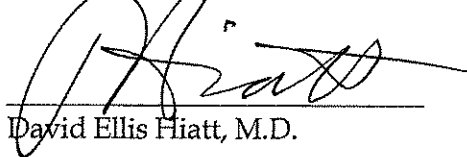
Pursuant to Section 54.1-2400.2 of the Code, the signed original of this Consent Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public inspection and copying upon request

FOR THE BOARD:

for 
William L. Harp, M.D.
Executive Director
Virginia Board of Medicine

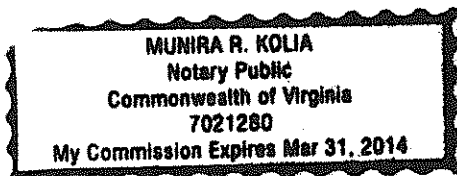
ENTERED: 12/26/13

SEEN AND AGREED TO:


David Ellis Hiatt, M.D.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Fauquier, TO WIT:

Subscribed and sworn to before me, the undersigned Notary Public, in and for the Commonwealth of Virginia, at large, this 16th day of Dec, 2013, by David Ellis Hiatt, M.D.



Munira R Kolia
Notary Public

Registration Number: 7021280

My commission expires: 3/31/2014