

BEFORE THE WEST VIRGINIA BOARD OF MEDICINE

IN RE:

**CONSENT ORDER MONITORING IN THE MATTER OF
ALEXANDER VLADIMIROVICH OTELLIN, MD
COMPLAINT NO. 18-81-W**

AMENDED CONSENT ORDER

The West Virginia Board of Medicine (the “Board”) and Alexander Vladimirovich Otellin, MD (“Dr. Otellin”), freely and voluntarily enter into the following Amended Consent Order pursuant to West Virginia Code § 30-3-14, *et seq.*

FINDINGS OF FACT

The Board and Dr. Otellin stipulate to the truthfulness and accuracy of the facts, as set forth herein below:

1. Dr. Otellin holds a West Virginia medical license, License No. 22592, which was first issued in 2006.
2. Dr. Otellin’s self-identified area of specialty is psychiatry.
3. Dr. Otellin’s practice address of record with the Board is in South Charleston, West Virginia.
4. On May 6, 2018, the Complaint Committee of the Board authorized Initiated Complaint No. 18-81-W to investigate allegations of professional misconduct against Dr. Otellin based upon an anonymous written report to the Board raising concerns regarding Dr. Otellin’s prescribing practices.

5. The Complaint Committee conducted an investigation into the allegations set forth in Initiated Complaint No. 18-81-W and obtained an independent physician review of patient medical records and prescribing records for ten patients of Dr. Otellin.

6. The independent reviewer identified concerns with Dr. Otellin's treatment plans, medical documentation, controlled substance prescribing practices and compliance monitoring of patients.

7. Dr. Otellin disputed the conclusions rendered by the independent physician, but elected to enter into a Consent Order to resolve Complaint No. 18-81-W, and to establish appropriate terms and conditions upon Dr. Otellin's practice of medicine in West Virginia. A copy of the Consent Order, which was entered on September 9, 2019, is attached hereto as **Exhibit A** and is incorporated herewith by reference.

8. The September 9, 2019, Consent Order placed Dr. Otellin's West Virginia medical license, License No. 22592, in probationary status for a period of three years. **Exhibit A**.

9. During his probationary period, Dr. Otellin was required to complete additional continuing medical education in controlled substance prescribing to be followed by additional evaluation by the Board through three annual medical record audits.

10. In compliance with the terms and conditions of his Consent Order, Dr. Otellin successfully completed Case Western Reserve University's 22.25 hour course entitled *Intensive Course in Controlled Substance Prescribing* on November 11-13, 2019, in Cleveland, Ohio.

11. Consistent with the September 9, 2019, Consent Order, the Board conducted a medical record audit of ten patient records in September of 2020 ("the 2020 audit").

12. The 2020 audit was conducted ten months after Dr. Otellin completed the additional continuing medical education in controlled substance prescribing.

13. The patient medical records obtained by the Board from Dr. Otellin for the 2020 audit were provided to an independent reviewer for evaluation.

14. The independent reviewer identified continuing concerns with Dr. Otellin's prescribing of controlled substances, patient monitoring practices, and medical recordkeeping.

15. Dr. Otellin appeared before the Complaint Committee on July 7, 2021, to discuss his practice and the independent reviewer's findings, at which time Dr. Otellin again disputed the conclusions rendered by the independent reviewer.

16. On Tuesday, August 31, 2021, the Drug Enforcement Agency ("DEA") executed a search and seizure warrant at Dr. Otellin's medical office in South Charleston, West Virginia. Dr. Otellin was present at his medical office when the DEA search and seizure warrant was served and executed on August 31, 2021.

17. The DEA continued its search activities at Dr. Otellin's medical office on Wednesday, September 1, 2021, and Thursday, September 2, 2021, however Dr. Otellin did not appear at the office on those dates, and the office was closed to patients.

18. The DEA seized records for fifty-three of Dr. Otellin's patients.

19. Dr. Otellin's medical office re-opened to patients on Thursday, September 3, 2021. Office staff and Dr. Otellin's wife, Inna Otellin, were present, but Dr. Otellin did not come in and patients were seen via telemedicine.

20. On September 4, 2021, Dr. Otellin left the United States. He currently resides in St. Petersburg, Russia.

21. Beginning September 7, 2021, Dr. Otellin continued to see his West Virginia patients via telemedicine from St. Petersburg, Russia. Dr. Otellin's telemedicine practice from Russia includes the prescribing of controlled substances to West Virginia patients.

22. Since Dr. Otellin initiated his telemedicine practice from Russia to West Virginia patients:

- a. Dr. Otellin has started to refuse certain insurance for patient visits, and has requested payment from one or more patients via PayPal.
- b. Dr. Otellin has failed to communicate with one or more patients to ensure continuity of treatment, including continuity of Schedule II controlled substance medications.

23. On September 15, 2021, a Criminal Complaint was issued against Dr. Otellin in the United States District Court for the Southern District of West Virginia. The criminal complaint alleged that Dr. Otellin unlawfully distributed amphetamine salts and alprazolam, both of which are controlled substances, in violation of 21 U.S.C. § 841(a)(1).

24. On September 22, 2021, a federal grand jury indicted Dr. Otellin on ten felony counts of distributing various controlled substances without a legitimate medical purpose and outside the usual course of professional practice and in violation of in violation of 21 U.S.C. § 841(a)(1). *United States of America v. Alexander V. Otellin, M.D.*, Criminal Action No. 2:21-cr-00159.

25. Thereafter on September 22, 2021, a bench warrant was issued for Dr. Otellin's arrest by United States Magistrate Judge Omar J. Aboulhosn.

26. Dr. Otellin desires to close his West Virginia medical practice and cease the active practice of medicine in this state.

27. The Board and Dr. Otellin voluntarily enter into this Amended Consent Order to effectuate the voluntary surrender of his West Virginia medical license and to protect the public interest.

CONCLUSIONS OF LAW

The Board and Dr. Otellin stipulate to the following conclusions of law:

1. Dr. Otellin's license to practice medicine and surgery in the state of West Virginia is subject to regulation and discipline by the West Virginia Board of Medicine, the "regulatory and disciplinary body for the practice of medicine and surgery" for physicians, podiatrists, and physician assistants in West Virginia. W. Va. Code §§ 30-3-5 and 30-3-7(a).

2. The Board has a mandate to ensure "a professional environment that encourages the delivery of quality medical services" to protect the public interest. W. Va. Code § 30-3-2.

3. The West Virginia Medical Practice Act sets forth conduct which may render an individual unqualified for licensure or subject to discipline or other restrictions upon licensure. W. Va. Code § 30-3-14. Pursuant to W. Va. Code § 30-1-8(c), the Board has promulgated legislative rules that "delineate conduct, practices or acts which, in the judgment of the board, constitute professional negligence, a willful departure from accepted standards of professional conduct and/or which may render an individual unqualified or unfit for licensure, registration or other authorization to practice." W. Va. Code R. § 11-1A-12.

4. Probable cause may exist to substantiate disciplinary charges against Dr. Otellin pursuant to the West Virginia Medical Practice Act and the Board's legislative rules including, but not limited to, the following provisions:

- a. W. Va. Code § 30-3-14(c)(17), W. Va. Code R. §§ 11-1A-12.1.e and 12.1.j, and W. Va. Code R. § 11-1A-12.2.d, relating to dishonorable, unethical, or unprofessional conduct; and/or
- b. W. Va. Code § 30-3-14(c)(17) and/or W. Va. Code R. § 11-1A-12.1.x, relating to engaging in malpractice or the failure to practice medicine with that level of care, skill and treatment which is recognized by a reasonable, prudent, physician engaged in the same or a similar specialty as being acceptable under similar conditions and circumstances; and/or
- c. W. Va. Code § 30-3-14(c)(13) and W. Va. Code R. § 11-1A-12.2.a, relating to prescribing a controlled substance other than in good faith and in a therapeutic manner in accordance with accepted medical standards and in the course of the physician's professional practice.

5. It is reasonable, appropriate and in the public's interest to permit Dr. Otellin to surrender his West Virginia license, and this Amended Consent Order sets forth reasonable, appropriate and necessary terms and conditions that Dr. Otellin must meet to be eligible to petition the Board for the reinstatement of his surrendered West Virginia license in the future.

CONSENT

By signing his name to this Amended Consent Order, Alexander Vladimirovich Otellin, MD, acknowledges that he understands and agrees with the following:

1. Dr. Otellin has read and understands this entire Amended Consent Order;
2. Dr. Otellin agrees that he has been given adequate time and opportunity to review and consider the terms set forth in this Amended Consent Order;
3. Dr. Otellin understands that he has the right to legal representation in this matter, at his own expense, and agrees that he has exercised this right, and has been afforded adequate time and opportunity to consult with his counsel regarding the legal effect of this Amended Consent Order;
4. Dr. Otellin understands that this Amended Consent Order is a legally binding Order of the West Virginia Board of Medicine that affects his rights and privileges;
5. Dr. Otellin acknowledges that he is fully aware that, without his consent, no permanent legal action may be taken against him except after a hearing held in accordance with West Virginia Code §§ 30-3-14(h) and 29A-5-1, *et seq.*;
6. Dr. Otellin is aware of his legal rights in this matter, in addition to his right to be represented by counsel at his own expense, including: the right to a formal hearing, after reasonable notice, before the West Virginia Board of Medicine on the disciplinary charges before the Board; the right to confront and cross-examine witnesses against him; the right to present evidence and testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to appeal under Chapter 29A of the West Virginia Code in the event of a final order or decision adverse to him;

7. With the exception of his right to counsel, which he has exercised, Dr. Otellin knowingly and voluntarily waives all such additional rights, and agrees to the entry of this Amended Consent Order relative to his practice of medicine in the state of West Virginia;

8. Dr. Otellin acknowledges that by signing this Consent Order, he is relinquishing his license to practice medicine and surgery in West Virginia and/or to patients located in West Virginia, and will not be eligible for reinstatement or reactivation in the future unless he meets the specific terms and conditions set forth in ¶4, pp. 9-10 of this Amended Consent Order; and

9. Dr. Otellin expressly acknowledges that the restrictions implemented by this Amended Consent Order upon his West Virginia medical license do not impose discipline upon his West Virginia license for any of the specific allegations of professional misconduct which form the basis of *United States of America v. Alexander V. Otellin, M.D.*, Criminal Action No. 2:21-cr-00159, nor does this Amended Consent Order resolve any such allegations;

10. Dr. Otellin understands and agrees that in the event that he pleads nolo contendere or guilty to, or is convicted of, any felony involving prescribing, selling, administering, dispensing, mixing, or otherwise preparing any prescription drug, including any controlled substance under state or federal law, for other than generally accepted therapeutic purposes, any application he may make in the future for license restoration shall be denied pursuant to W. Va. Code § 30-3-14(d);

11. Dr. Otellin understands that this Order is a public document which will be available for public inspection, will be accessible through the Board's website, and will be a permanent part of his historical file with the Board. Matters contained herein will be reported to the National Practitioner Data Bank, and may be reported to other jurisdictions, the Federation of State Medical Boards and as otherwise required by law.

ORDER

WHEREFORE, on the basis of the foregoing stipulated Findings of Fact and Conclusions of Law, and with the consent of Dr. Otellin, the West Virginia Board of Medicine hereby **ORDERS** as follows:

1. Effective at 12:00AM Eastern Standard Time on February 28, 2022, Dr. Otellin's West Virginia medical license, License No. 22592, is hereby **SURRENDERED** to the Board. The surrender of Dr. Otellin's medical license pursuant to this Consent Order shall remain in effect until it is lifted or otherwise modified pursuant to a subsequent Order issued by the Board.

2. Dr. Otellin is prohibited from practicing medicine and surgery in the State of West Virginia and/or to patients located in West Virginia while his license is in surrendered status.

3. Immediately upon his execution of this Consent Order, and during the winding down of Dr. Otellin's West Virginia medical practice:

- a. Dr. Otellin shall cease accepting new patients into his West Virginia medical practice;
- b. Dr. Otellin shall not prescribe controlled substances to any patient who established with Dr. Otellin after September 4, 2021. Controlled substances include any drug listed in Schedules I through V of the Controlled Substance Act, 21 U.S.C. § 812 and/or the Uniform Controlled Substance Act, W. Va. Code § 60A-2-201 *et seq.*;
- c. Dr. Otellin shall not prescribe any controlled substances or antipsychotic medications to current patients for whom Dr. Otellin has not prescribed the exact same medication within the last ninety (90) days;

- d. Dr. Otellin shall engage in appropriate efforts to effectuate the safe and medically appropriate titration of controlled substance and antipsychotic medications for current patients and/or the transfer of such patients to another practitioner who is not affiliated in any way with Dr. Otellin's medical practice; and
- e. Dr. Otellin shall ensure that all of his patients receive notice of his practice closure and meaningful access to their patient medical records, including copies thereof for subsequent medical providers.

4. The Board shall not consider reinstating Dr. Otellin's surrendered West Virginia medical license, issuing Dr. Otellin any other authorization to practice medicine and surgery in West Virginia, or modifying this Amended Consent Order until Dr. Otellin makes a written request for such relief to the Board, and all of the following conditions are met:

- a. Dr. Otellin is acquitted of all charges set forth in the matter of *United States of America v. Alexander V. Otellin, M.D.*, Criminal Action No. 2:21-cr-00159 and/or any superseding related actions;
- b. Dr. Otellin is not the subject of any other unresolved criminal complaints, charges or indictments;
- c. Dr. Otellin submits evidence to the Board which demonstrates that he provided notification of his practice closure to his patients, including information on how to obtain a copy of patient medical records and how long patients may expect to have continued access thereto;
- d. Dr. Otellin submits evidence to the Board which demonstrates that he

provided his patients with meaningful access to copies of their patient medical records for an appropriate period of time after the closure of his practice;

- e. Dr. Otellin provides satisfactory proof to the Board that he is able to competently and safely re-enter the clinical practice of medicine and surgery and is capable of providing appropriate care and treatment to West Virginia patients; and
- f. Dr. Otellin appears, in-person, before the Complaint Committee at a regularly scheduled meeting in support of his request to discuss his progress, well-being and plans for his re-entry into the practice of medicine in West Virginia.

5. The Board shall not consider, and need not act upon, any future petition for license restoration or any other application Dr. Otellin may submit to this Board in contravention of the terms of this Amended Consent Order. In considering any petition or application which comports with the requirements of ¶4 of this Order, and if re-licensure is supported by the application and accompanying evidence, the Board shall impose any terms and conditions necessary to ensure that Dr. Otellin's reentry into clinical practice with respect to West Virginia patients is safe, appropriate and consistent with the public interest.

6. This Amended Consent Order shall be deemed entered on the date that this Order, with all required signatures affixed hereupon, is received in the Board's 101 Dee Drive, Charleston, West Virginia, office. The Executive Director of the West Virginia Board of Medicine

is hereby authorized to denote the date of entry on behalf of the Board in accordance with this paragraph.

7. Dr. Otellin and his counsel shall be notified immediately, via email, when this Consent Order becomes effective.

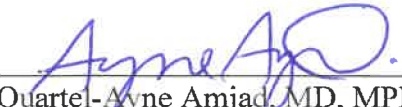
8. A copy of this Consent Order shall be provided to Dr. Otellin via email and certified mail to the email address and St. Petersburg, Russia address he has provided to the Board. A copy shall also be provided, via certified mail, to is counsel of record.

ENTERED ON: February 24, 2022

WEST VIRGINIA BOARD OF MEDICINE


Kishore K. Challa, MD, FACC
President

Date: 2/8/22


Quartel-Ayne Amjad, MD, MPH
Secretary

Date: 2/8/2022

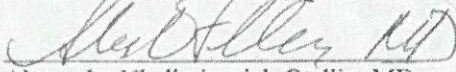
ACCEPTANCE

I, ALEXANDER VLADIMIROVICH OTELLIN, MD, HAVE READ AND UNDERSTAND THE FOREGOING AMENDED CONSENT ORDER. I HAVE BEEN GIVEN SUFFICIENT TIME AND OPPORTUNITY TO CONSIDER THIS AMENDED CONSENT ORDER, AND I UNDERSTAND THE EFFECT IT WILL HAVE UPON MY LICENSE TO PRACTICE MEDICINE AND SURGERY IN WEST VIRGINIA. I UNDERSTAND THAT BY SIGNING THIS AMENDED CONSENT ORDER I AM SURRENDERING MY WEST VIRGINIA MEDICAL LICENSE, AND THAT MY LICENSE WILL THEREBY BE RELINQUISHED. I UNDERSTAND THAT I MAY NOT PETITION OR REAPPLY TO PRACTICE MEDICINE AND SURGERY IN WEST VIRGINIA UNTIL AND UNLESS I COMPLY WILL ALL OF THE PRECONDITIONS SET FORTH IN THIS AMENDED CONSENT ORDER.

BY SIGNING THIS AMENDED CONSENT ORDER, I HAVE WAIVED CERTAIN RIGHTS, BUT I DO SO KNOWINGLY AND VOLUNTARILY, AND I DO NOT WISH TO ASSERT THOSE RIGHTS IN THIS MATTER.

I UNDERSTAND THAT I HAVE THE RIGHT TO LEGAL COUNSEL, THAT I HAVE EXERCISED THE RIGHT TO LEGAL COUNSEL, AND THAT I HAVE BEEN PROVIDED WITH AMPLE TIME TO SEEK LEGAL ADVICE REGARDING MY ACCEPTANCE OF THIS AMENDED CONSENT ORDER FROM MY ATTORNEY.

I AM SIGNING THIS AMENDED CONSENT ORDER VOLUNTARILY, AND I UNDERSTAND THE POTENTIAL CONSEQUENCES OF VIOLATING THIS AMENDED CONSENT ORDER.


Alexander Vladimirovich Otellin, MD

Date: February 4th 2022

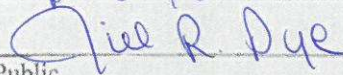
STATE OF West Virginia

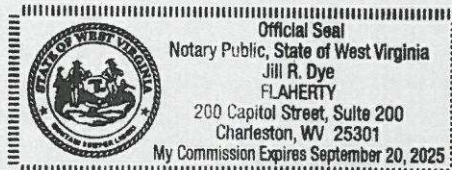
COUNTY OF Kanawha, to-wit:

I, Jill R Dye, a Notary Public for said county and state do hereby certify that Alexander Vladimirovich Otellin, MD, whose name is signed herein above has this day acknowledged the same before me.

Given under my hand this 4 day of February 2022.

My Commission expires Sept. 20, 2025


Notary Public



BEFORE THE WEST VIRGINIA BOARD OF MEDICINE

IN RE:

ALEXANDER VLADIMIROVICH OTELLIN, MD

Complaint No. 18-81-W

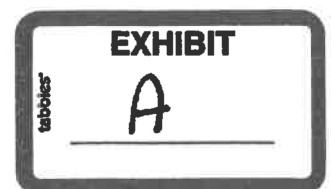
CONSENT ORDER

The West Virginia Board of Medicine (the "Board") and Alexander Vladimirovich Otellin, MD ("Dr. Otellin"), freely and voluntarily enter into the following Consent Order pursuant to West Virginia Code § 30-3-14, *et seq.*

FINDINGS OF FACT

The Board and Dr. Otellin stipulate to the truthfulness and accuracy of the facts, as set forth herein below:

1. Dr. Otellin holds a West Virginia medical license, License No. 22592, which was first issued in 2006. Dr. Otellin's address of record with the Board is in Charleston, West Virginia.
2. Dr. Otellin's self-identified area of specialty is psychiatry.
3. On May 6, 2018, the Complaint Committee of the Board authorized Initiated Complaint No. 18-81-W to investigate allegations of professional misconduct against Dr. Otellin based upon an anonymous written report to the Board raising concerns regarding Dr. Otellin's prescribing practices.
4. The Complaint Committee conducted an investigation into the allegations set forth in Initiated Complaint No. 18-81-W and obtained an independent physician review of patient medical records and prescribing records for ten patients of Dr. Otellin.



5. The independent reviewer identified concerns with Dr. Otellin's treatment plans, medical documentation, controlled substance prescribing practices and compliance monitoring of patients.

6. Dr. Otellin disputes the conclusions rendered by the independent physician.

7. The Board and Dr. Otellin voluntarily enter into this Consent Order to resolve Complaint No. 18-81-W, and to establish appropriate terms and conditions upon Dr. Otellin's practice of medicine in West Virginia.

8. This Consent Order relates solely to Complaint No. 18-81-W and does not relate to or resolve any other matters that may be pending before the Board.

CONCLUSIONS OF LAW

The Board and Dr. Otellin stipulate to the following conclusions of law:

1. Dr. Otellin's license to practice medicine and surgery in the state of West Virginia is subject to regulation and discipline by the West Virginia Board of Medicine, the "regulatory and disciplinary body for the practice of medicine and surgery" for physicians, podiatrists and physician assistants in West Virginia. W.Va. Code § 30-3-5 and § 30-3-7(a).

2. The Board has a mandate to ensure "a professional environment that encourages the delivery of quality medical services" to protect the public interest. W.Va. Code § 30-3-2.

3. The West Virginia Medical Practice Act sets forth conduct which may render an individual unqualified for licensure or subject to discipline or other restrictions upon licensure. W.Va. Code § 30-3-14. Pursuant to W.Va. Code § 30-1-8(c), the Board has promulgated legislative rules that "delineate conduct, practices or acts which, in the judgment of the board, constitute professional negligence, a willful departure from accepted standards of professional

conduct and/or which may render an individual unqualified or unfit for licensure, registration or other authorization to practice.” W. Va. Code R. § 11-1A-12.

4. Probable cause may exist to substantiate disciplinary charges against Dr. Otellin pursuant to the West Virginia Medical Practice Act and the Board’s legislative rules including, but not limited to, the following provisions:

- a. W. Va. Code § 30-3-14(c)(17), W. Va. Code R. § 11-1A-12.1.e and 12.1.j, and W. Va. Code R. §11-1A-12.2.d, relating to dishonorable, unethical or unprofessional conduct; and/or
- b. W. Va. Code § 30-3-14(c)(17) and/or W. Va. Code R. § 11-1A-12.1.x, relating to engaging in malpractice or the failure to practice medicine with that level of care, skill and treatment which is recognized by a reasonable, prudent, physician engaged in the same or a similar specialty as being acceptable under similar conditions and circumstances; and/or
- c. W. Va. Code § 30-3-14(c)(13) and W. Va. Code R. § 11-1A-12.2.a, relating to prescribing a controlled substance other than in good faith and in a therapeutic manner in accordance with accepted medical standards and in the course of the physician's professional practice.

5. With respects to Complaint No. 18-81-W, it is appropriate and in the public interest to waive the commencement of proceedings against Dr. Otellin and to proceed without the filing of charges, or a formal Complaint and Notice of Hearing, subject to compliance by Dr. Otellin with the provisions of this Consent Order.

6. This Consent Order sets forth reasonable, appropriate and necessary terms, conditions, limitations and restrictions upon the practice of medicine and surgery by Dr. Otellin in West Virginia.

7. This Consent Order relates solely to Complaint No. 18-81-W, and does not relate to or resolve any other matters that may be pending before the Board.

CONSENT

By signing his name to this Consent Order, Alexander Vladimirovich Otellin, MD, acknowledges that he understands and agrees with the following:

1. Dr. Otellin has read and understands this entire Consent Order;
2. Dr. Otellin agrees that he has been given adequate time and opportunity to review and consider the terms set forth in this Consent Order;
3. Dr. Otellin understands that he has the right to legal representation in this matter, at his own expense, and agrees that he has exercised this right, and has been afforded adequate time and opportunity to consult with his counsel regarding the legal effect of this Consent Order;
4. Dr. Otellin understands that this Consent Order is a legally binding Order of the West Virginia Board of Medicine that affects his rights and privileges;
5. Dr. Otellin acknowledges that he is fully aware that, without his consent, no permanent legal action may be taken against him except after a hearing held in accordance with West Virginia Code § 30-3-14(h) and § 29A-5-1, *et seq.*;
6. Dr. Otellin is aware of his legal rights in this matter, in addition to his right to be represented by counsel at his own expense, including: the right to a formal hearing, after reasonable notice, before the West Virginia Board of Medicine on the disciplinary charges before the Board;

the right to confront and cross-examine witnesses against him; the right to present evidence and testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to appeal under Chapter 29A of the West Virginia Code in the event of a final order or decision adverse to him;

7. With the exception of his right to counsel, which he has exercised, Dr. Otellin knowingly and voluntarily waives all such additional rights, and agrees to the entry of this Consent Order relative to his practice of medicine in the state of West Virginia;

8. Dr. Otellin acknowledges that if he violates any of the terms of this Consent Order, further action may be taken against his license by the Board, as permitted by law; and

9. Dr. Otellin understands that this Consent Order relates only to Complaint No. 18-81-W and does not relate to or resolve any other matters that may be pending before the Board.

10. Dr. Otellin understands that this Order is a public document which will be available for public inspection, will be accessible through the Board's website, and will be a permanent part of his historical file with the Board. Matters contained herein will be reported to the National Practitioner Data Bank, and may be reported to other jurisdictions, the Federation of State Medical Boards and as otherwise required by law.

ORDER

WHEREFORE, on the basis of the foregoing stipulated Findings of Fact and Conclusions of Law, and with the consent of Dr. Otellin, the West Virginia Board of Medicine hereby **ORDERS** as follows:

1. Effective upon entry of this Consent Order, Dr. Otellin's West Virginia medical license, License No. 22592, is placed in **PROBATIONARY STATUS** for a period of three (3)

years. During Dr. Otellin's period of probation, he must comport his practice of medicine and surgery in the State of West Virginia with the following probationary terms, conditions, limitations and restrictions as set forth herein below:

- a. *Medical Record and Prescribing Audit.* In each of the next three calendar years (2020, 2021 and 2022), and without prior notice to Dr. Otellin, the Board shall conduct a chart review of Dr. Otellin's medical records. Upon request, Dr. Otellin shall immediately provide the Board's Investigator with on-site access to all of his medical records/charts for active patients. Upon request, Dr. Otellin shall also produce a complete and legible copy of up to ten medical records/charts selected by the Board's Investigator for off-site review by the Board within five business days of such request. Further, during Dr. Otellin's period of probation, the Board may, in its discretion and at any time, query Dr. Otellin's controlled substance prescribing practices with the West Virginia Board of Pharmacy's Controlled Substance Monitoring Database ("CSMP") and/or similar state or federal entities in surrounding states to monitor Dr. Otellin's prescribing practices. The Board may also query Dr. Otellin's utilization of the CSMP to monitor his compliance with W. Va. Code §60A-9-5a at any time during his probationary period.
- b. *Training and Education.* At his own expense, Dr. Otellin shall enroll in and successfully complete **Case Western Reserve University's Intensive Course in Controlled Substance Prescribing – Pain, Anxiety,**

Insomnia, including all pre-course and post-course requirements. To satisfy this requirement, Dr. Otellin must complete all pre-course requirements and attend and successfully complete this course on **November 11-13, 2019 in Cleveland, Ohio.**

- c. *Notification of Enrollment.* Dr. Otellin shall provide the Board with a copy of his enrollment confirmation from the CME provider on or before **September 25, 2019**, and he shall submit acceptable documentation from the CME provider of his successful completion of the course to the Board within **ten days** of his completion of the course.
- d. *Successful Completion of CME.* Successful completion of the CME course required by this Order shall be determined solely by the CME provider. A determination by the CME provider that Dr. Otellin has failed to successfully complete any program requirement, including pre or post program requirements, shall constitute clear and convincing evidence for the Board to take further action with respect to Dr. Otellin's West Virginia medical license, including the imposition of additional discipline.
- e. *Limitation on Use of CME hours.* Dr. Otellin may not utilize any CME hours he earns pursuant to his participation in the CME course required by this Order to satisfy his biennial continuing medical education obligation pursuant to W. Va. Code R. §11-6-3.1 or any superseding enactment of the Board's legislative rule governing continuing medical education requirements and reporting for physicians.

- f. *Notice of Interruption in Practice.* Dr. Otellin shall notify the Board, in writing, of all periods of time exceeding thirty calendar days in duration during which he is not actively practicing medicine in West Virginia. Dr. Otellin shall provide advance notice for all scheduled periods of non-practice and shall notify the Board no later than five days after the conclusion of any unanticipated or unscheduled periods.
- g. *Tolling.* The terms of this Consent Order, including but not limited to the period of probation, shall be tolled for any period of time during which Dr. Otellin is not actively practicing medicine in West Virginia.

2. At the end of Dr. Otellin's period of probation, Dr. Otellin may petition the Board to lift the period of probation set forth herein, and to modify and/or lift the practice restrictions related thereto which are imposed by this Order.

3. Dr. Otellin shall at all times fully comply with all of the professional practice requirements of the West Virginia Medical Practice Act as set forth in W. Va. Code § 30-3-1 *et seq.*, and in the Board's legislative rules, including but not limited to W. Va. Code R. § 11-1A-1 *et seq.* Dr. Otellin shall also fully comply with his legal duty to access the West Virginia Controlled Substances Monitoring Database in accordance with W. Va. Code §60A-9-5a.

4. Dr. Otellin agrees that he may be subject to additional disciplinary processes, as permitted by law, for any violation of the terms of this Consent Order.

5. This Consent Order relates solely to Complaint No. 18-81-W and does not relate to or resolve any other matters that may be pending before the Board.

6. This Consent Order shall be deemed entered on the date that this Order, with all required signatures affixed hereupon, is received in the Board's 101 Dee Drive, Charleston, West Virginia, office. The Executive Director of the West Virginia Board of Medicine is hereby authorized to denote the date of entry on behalf of the Board in accordance with this paragraph.

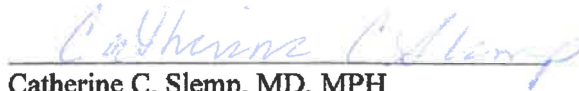
ENTERED ON: September 9, 2019

WEST VIRGINIA BOARD OF MEDICINE



Kishore K. Challa, MD, FACC
President

Date: 9/9/2019



Catherine C. Slomp, MD, MPH
Secretary

Date: 9/9/19

ACCEPTANCE

I, ALEXANDER VLADIMIROVICH OTELLIN, MD, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT ORDER. I HAVE BEEN GIVEN SUFFICIENT TIME AND OPPORTUNITY TO CONSIDER THIS CONSENT ORDER, AND I UNDERSTAND THE EFFECT IT WILL HAVE UPON MY LICENSE TO PRACTICE MEDICINE AND SURGERY IN WEST VIRGINIA.

BY SIGNING THIS CONSENT ORDER, I HAVE WAIVED CERTAIN RIGHTS, BUT I DO SO KNOWINGLY AND VOLUNTARILY, AND I DO NOT WISH TO ASSERT THOSE RIGHTS IN THIS MATTER.

I UNDERSTAND THAT I HAVE THE RIGHT TO LEGAL COUNSEL, THAT I HAVE EXERCISED THE RIGHT TO LEGAL COUNSEL, AND THAT I HAVE BEEN PROVIDED WITH AMPLE TIME TO SEEK LEGAL ADVICE REGARDING MY ACCEPTANCE OF THIS CONSENT ORDER FROM MY ATTORNEY.

I AM SIGNING THIS CONSENT ORDER VOLUNTARILY, AND I UNDERSTAND THE POTENTIAL CONSEQUENCES OF VIOLATING THIS CONSENT ORDER.

Alex Otellin MD

Alexander Vladimirovich Otellin, MD

Date: September 4, 2019

STATE OF West Virginia

COUNTY OF Kanawha, to-wit:

I, Holly Gumbert, a Notary Public for said county and state do hereby certify that Alexander Vladimirovich Otellin, MD, whose name is signed herein above has this day acknowledged the same before me.

Given under my hand this 4th day of Sept., 2019.

My Commission expires January 23, 2022

Holly Gumbert
Notary Public

