

BEFORE THE WEST VIRGINIA BOARD OF MEDICINE

IN RE:

RAYMOND MARC SHAPIRO, M.D.

CONSENT ORDER

The West Virginia Board of Medicine ("Board") and Raymond Marc Shapiro, M.D., ("Dr. Shapiro") freely and voluntarily enter into the following Consent Order pursuant to West Virginia Code §30-3-1, et seq.

FINDINGS OF FACT

1. Dr. Shapiro currently holds a license to practice medicine and surgery in the State of West Virginia, License No. 18045, issued originally in 1995. Dr. Shapiro's address of record with the Board is in Frederick, Maryland.
2. In October, 2000, a complaint was filed against Dr. Shapiro by Tanya Celestine Lindsey, asserting unprofessional conduct by Dr. Shapiro in the course of his rendering care and treatment to her.
3. In December, 2000, Dr. Shapiro filed a response to the complaint, and in July, 2001, Dr. Shapiro appeared before the Complaint Committee of the Board for a full discussion of the complaint.
4. After Dr. Shapiro appeared before the Complaint Committee, further investigation was conducted by the Complaint Committee.

5. In January, 2002, Dr. Shapiro underwent a physical and mental examination at West Virginia University, School of Medicine, Charleston Division, Department of Behavioral Medicine & Psychiatry.

6. The West Virginia University, School of Medicine, Charleston Division, Department of Behavioral Medicine & Psychiatry, then issued a report to the Board stating that “it is clear that Dr. Shapiro utilized poor judgment regarding his interactions with his patients but this in [and] (sic) of itself is not evidence of a severe underlying medical or psychiatric illness that would interfere with his ability to practice medicine or surgery safely.”

CONCLUSIONS OF LAW

1. The Board has a mandate pursuant to West Virginia Code §30-3-1 to protect the public interest.

2. Probable cause exists to substantiate charges of disqualification from the practice of medicine pursuant to the provisions of West Virginia Code §30-3-14(c)(17) and 11 CSR 1A 12.1(e), relating to unprofessional conduct.

3. The Board has determined that it is appropriate to waive the commencement of proceedings against Dr. Shapiro and to proceed without the filing of charges or a formal Complaint and Notice of Hearing, provided that a restriction and limitation is placed upon Dr. Shapiro’s license to practice medicine and surgery in the State of West Virginia.

CONSENT

RAYMOND MARC SHAPIRO, M.D., by affixing his signature hereon, agrees solely and exclusively for purposes of this agreement and the entry of the Order provided for and stated herein, and proceedings conducted in accordance with this Order to the following:

1. Dr. Shapiro acknowledges that he is fully aware that, without his consent, herein given, 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.;

2. Dr. Shapiro acknowledges that he has the following rights, among others: the right to a formal hearing before the West Virginia Board of Medicine, the right to reasonable notice of said hearing, the right to be represented by counsel at his own expense, and the right to cross-examine witnesses against him;

3. Dr. Shapiro waives all rights to such a hearing;

4. Dr. Shapiro consents to the entry of this Order relative to his practice of medicine in the State of West Virginia; and

5. Dr. Shapiro understands that this Order is considered public information, and that matters contained herein may be reported, as required by law, to the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.

ORDER

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

Dr. Shapiro is **PUBLICLY REPRIMANDED** for unprofessional conduct in the course of his rendering care and treatment to the Complainant.

Entered this 12th day of June, 2002.

WEST VIRGINIA BOARD OF MEDICINE

Sarjit Singh

Sarjit Singh, M.D.
President

Henry G. Taylor

Henry G. Taylor, M.D., M.P.H.
Secretary

6/10/02

Raymond Marc Shapiro
Raymond Marc Shapiro, M.D.
DATE: *5/29/02* *6/3/02*

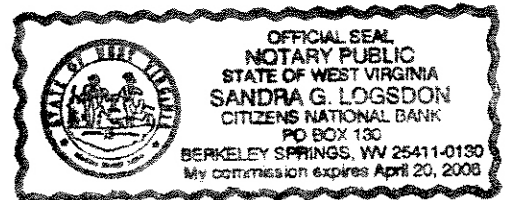
STATE OF *WV*

COUNTY OF *Morgan*

I, *Sandra G. Logsdon*, a Notary Public for said county and state do hereby certify that Raymond Marc Shapiro, M.D., whose name is signed above, has this day acknowledged the same before me.

Given under my hand this *31st* day of *May*, 2002.

My commission expires *4-21-2008*.



BEFORE THE WEST VIRGINIA BOARD OF MEDICINE

IN RE:

RAYMOND MARC SHAPIRO, M.D.

CONSENT ORDER

The West Virginia Board of Medicine ("Board") and Raymond Marc Shapiro, M.D., ("Dr. Shapiro") freely and voluntarily enter into the following Consent Order pursuant to West Virginia Code §30-3-1, et seq.

FINDINGS OF FACT

1. Dr. Shapiro currently holds a license to practice medicine and surgery in the State of West Virginia, License No. 18045, issued originally in 1995. Dr. Shapiro's address of record with the Board is in Gaithersburg, Maryland.
2. In July 2005, the Complaint Committee of the Board initiated its own Complaint against Dr. Shapiro, asserting unprofessional conduct with respect to Dr. Shapiro's psychiatric evaluations of three (3) men who were then involved in cases before family court judges in Martinsburg, West Virginia.
3. In January 2006, Dr. Shapiro appeared before the Complaint Committee of the Board for a full discussion of the complaint.

4. After Dr. Shapiro appeared before the Complaint Committee, further investigation was conducted by the Complaint Committee.

5. In April 2006, Dr. Shapiro underwent a physical and mental examination by a Forensic Psychiatrist, Robert M. Wettstein, M.D. This examination was witnessed by Bobby Miller, M.D., a Forensic Psychiatrist, all pursuant to the provisions of West Virginia Code §30-3-14(f).

6. Reports from both physicians were filed with the Board, asserting that Dr. Shapiro is able to practice medicine with reasonable skill and safety for patients. However, Dr. Wettstein concluded that there were ethical problems with Dr. Shapiro's evaluations in a clinical forensic context, while Dr. Miller viewed the context of the reports in a clinical setting and saw no ethical impropriety.

CONCLUSIONS OF LAW

1. The Board has a mandate pursuant to West Virginia Code §30-3-1 to protect the public interest.

2. Probable cause exists to substantiate charges of disqualification from the practice of medicine pursuant to the provisions of West Virginia Code §30-3-14(c)(15), practicing medicine beyond the scope of an addictions psychiatrist, to the extent that his evaluations of certain persons involved in family court matters extended his practice into the realm of forensic psychiatry, a field for which he has demonstrated a need for further training and education.

3. The Board has determined that it is appropriate to waive the commencement of proceedings against Dr. Shapiro and to proceed without the filing of

charges or a formal Complaint and Notice of Hearing, provided that certain appropriate restrictions and limitations are placed upon Dr. Shapiro's license to practice medicine and surgery in the State of West Virginia.

CONSENT

RAYMOND MARC SHAPIRO, M.D., by affixing his signature hereon, agrees solely and exclusively for purposes of this agreement and the entry of the Order provided for and stated herein, and proceedings conducted in accordance with this Order to the following:

1. Dr. Shapiro acknowledges that he is fully aware that, without his consent, herein given, 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.;
2. Dr. Shapiro acknowledges that he has the following rights, among others: the right to a formal hearing before the West Virginia Board of Medicine, the right to reasonable notice of said hearing, the right to be represented by counsel at his own expense, and the right to cross-examine witnesses against him;
3. Dr. Shapiro waives all rights to such a hearing;
4. Dr. Shapiro consents to the entry of this Order relative to his practice of medicine in the State of West Virginia; and
5. Dr. Shapiro understands that this Order is considered public information, and that matters contained herein may be reported, as required by law, to the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.

ORDER

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

1. Dr. Shapiro should gain further training in Forensic Psychiatry accomplished by one of the following:
 - a. Within the next six (6) months from entry of this Order he shall complete twenty (20) hours of continuing medical education in Forensic Psychiatry (which includes sections on Ethics) sponsored by the American Psychiatric Association in concert with a Core Textbook on Forensic Psychiatry by Robert Simon, M.D. and shall provide documentation to the Board of his successful completion of the same.
 - b. Attend the October 2006, meeting of the American Association of Psychiatry and the Law in Chicago, Illinois, to obtain twenty (20) hours of continuing medical education. Dr. Shapiro shall provide documentation to the Board of his successful completion of the same.
2. Dr. Shapiro's hereby agrees that he will not accept a referral from the family court system of this or any other state, but to the extent that he is requested to perform forensic evaluations in any other legal context, he agrees that the next twelve (12) forensic evaluations prepared by him following entry of this Consent Order are to be

supervised for content and style by a Board approved forensic psychiatrist who shall file a report with the Board following the twelfth (12th) such report stating Dr. Shapiro's progress in forensic evaluations.

3. Dr. Shapiro shall engage in continuing peer supervision regarding the phenomenon of counter-transference in order to gain insight as to how his divorce and present family conflicts could potentially impact his psychiatric practice if not recognized and managed, to the extent that the Board approved forensic psychiatrist mentioned in the next preceding paragraph will note in his report whether or not there appears to be a continuing problem of counter-transference in any of Dr. Shapiro's forensic evaluations that he reviews.

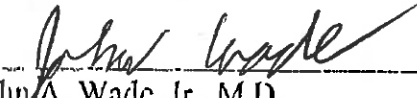
4. For the next two (2) years following entry of this Order, Dr. Shapiro agrees to take prescribed medication of a treating physician with the name and indication of the medication disclosed voluntarily in writing to the Board on an annual basis, beginning promptly following entry of this Order.

Within five (5) days of entry of this Consent Order, Dr. Shapiro shall present a copy of this Consent Order to his Board approved supervising psychiatrist and any treating physician prescribing medication to him, and any employer or health care or medical facility where Dr. Shapiro is practicing medicine and surgery in the State of West Virginia and to any employer or health care or medical facility where Dr. Shapiro seeks to practice medicine and surgery in the State of West Virginia.

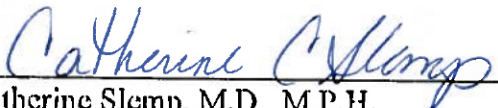
At the option of either Dr. Shapiro or the Board, a modification of this Consent Order may be entered into by the parties at the end of one (1) year following entry of this Order.

The foregoing was entered this 18th day of September 2006.


WEST VIRGINIA BOARD OF MEDICINE



John A. Wade, Jr., M.D.
President



Catherine Slomp, M.D., M.P.H.
Secretary



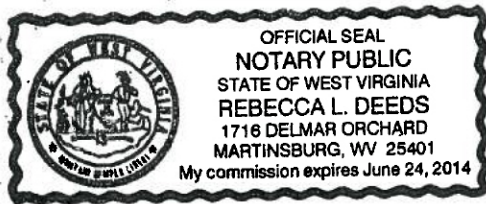
Raymond Marc Shapiro, M.D.
Date: 9/08/06

STATE OF West Virginia
COUNTY OF Berkeley

I, Rebecca L. Deeds, a Notary Public for said county and state do hereby certify that Raymond Marc Shapiro, M.D., whose name is signed on the previous page, has this day acknowledged the same before me.

Given under my hand this 8th day of September 2006.

My commission expires JUNE 24, 2014.



Rebecca L. Deeds
Notary Public

R. Curtis Arnold, DPM
South Charleston

Michael L. Ferrebee, MD
Morgantown

Angelo N. Georges, MD
Wheeling

Doris M. Griffin, MBA
Martinsburg

M. Khalid Hasan, MD
Beckley

Beth Hays, MA
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Hurricane

Badshah J. Wazir, MD
South Charleston

Kenneth Dean Wright, PA-C
Huntington

September 16, 2008

Raymond Marc Shapiro, M.D.
P. O. Box 4025
Gaithersburg, MD 20885

Dear Dr. Shapiro:

This is to officially notify you that, as of September 8, 2008, the restrictions and limitations placed upon your West Virginia medical license by Consent Order entered September 18, 2006, have ended due to your successful compliance.

In accordance with the statute, the Consent Order remains a permanent part of your historical record maintained by the Board. A copy of this letter will be attached to the Consent Order and will remain a part of the Consent Order.

Thank you for your cooperation and patience throughout this process and continued best wishes for success.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert C. Knittle".

Robert C. Knittle

RCK/eb

PRESIDENT
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Point Pleasant

VICE PRESIDENT
J. David Lynch, Jr., MD
Morgantown

SECRETARY
Catherine Slemple, MD, MPH
Charleston

EXECUTIVE DIRECTOR
Robert C. Knittle
Charleston

COUNSEL
Deborah Lewis Rodecker
Charleston