



State of West Virginia *Board of Medicine*

AHMED DAVER FAHEEM, MD
PRESIDENT

LETITIA E. TIERNEY, MD, JD
SECRETARY

101 Dee Drive, Suite 103
Charleston, WV 25311
Telephone 304.558.2921
Fax 304.558.2084
www.wvbom.wv.gov

R. CURTIS ARNOLD, DPM
VICE PRESIDENT

ROBERT C. KNITTLE
EXECUTIVE DIRECTOR

August 12, 2014

Alexander V. Otellin, M.D.
1409 Stonehenge Road
Charleston, WV 25314

Re: Consent Order

Dear Dr. Otellin:

This letter will confirm that the Board of Medicine considers you to have fulfilled all obligations set forth in the Consent Order which you entered into with the West Virginia Board of Medicine on August 5, 2014. As of the date of this letter, the West Virginia Board of Medicine considers the above-referenced matter to be closed.

In accordance with the statute, the Consent Order, with a copy of this letter attached, remains a permanent part of your historical record maintained by the Board. A copy of the Consent Order is enclosed for your records.

Should you have any questions or concerns please feel free to contact me at 304-558-2921, ext. 70005.

Sincerely,

Robert C. Knittle

RCK/trg
Enclosure
cc: Don R. Sensabaugh, Jr. Esquire

BEFORE THE WEST VIRGINIA BOARD OF MEDICINE

IN RE:

ALEXANDER VLADIMIROVICH OTELLIN, M.D.

CONSENT ORDER

The West Virginia Board of Medicine (“Board”) and Alexander Vladimirovich Otellin, M.D. (“Dr. Otellin”) freely and voluntarily enter into the following Consent Order pursuant to West Virginia Code § 30-3-1, *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, No. 22592, which license was first issued in 2006. Dr. Otellin’s address of record with the Board is in Charleston, West Virginia.

2. Dr. Otellin last submitted a renewal application for his medical license in May 2013, for the renewal period of July 1, 2013 through June 30, 2015. His license will expire on June 30, 2015, unless renewed on or before that date.

3. On his May 2013 renewal application, Dr. Otellin answered certain questions about his medical practice for the period of July 1, 2011 through June 30, 2013.

4. Question Twelve on page three of the renewal application required Dr. Otellin to disclose whether, during the requisite time period, he “had any judgments or

settlements arising from medical professional liability rendered or made against” him, “and if so, how many.”

5. Dr. Otellin answered “no” to Question Twelve.

6. Dr. Otellin signed and dated his renewal application, affirming that he had “carefully read the questions in this application and have answered them completely, without reservations of any kind that my answers and all statements made herein are true and correct. I understand that any license issued from this application is based on the truth of the statements contained herein, and that I should I furnish any false information in this application, such act constitutes good cause for the revocation of my license to practice medicine in the state of West Virginia.”

7. On or about January 9, 2014, the West Virginia Board of Medicine received a Medical Malpractice Payment Report with respect to Dr. Otellin from his malpractice carrier.

8. On May 6, 2013, a payment of \$25,000 was made on behalf of Dr. Otellin in association with a malpractice settlement reached on April 29, 2013.

9. Dr. Otellin failed to identify this settlement on his May 2013 renewal application.

10. The Board and Dr. Otellin voluntarily enter into this Consent Order to resolve the complaint initiated against Dr. Otellin and to protect the public interest.

CONCLUSIONS OF LAW

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

Consent Order
Alexander Vladimirovich Otellin, M.D.

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." See W. Va. Code R. §11-1A-12.

4. Probable cause may exist to substantiate disciplinary charges against Dr. Otellin pursuant to W. Va. Code §30-3-14 (c)(1) and (17), and W. Va. Code R. §§11-1A-12.1.a, 12.1.e and 12.1.j, relating to unprofessional conduct and the renewal of a license to practice medicine and surgery by making a false statement in connection with a licensure application.

5. It is appropriate and in the public interest to waive the commencement of proceedings against Dr. Otellin and to proceed without further investigation, 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 and appropriate discipline upon Dr. Otellin.

CONSENT

By signing his name to this Consent Order, Alexander Vladimirovich Otellin, M.D., 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 been afforded adequate time and opportunity to exercise his right to consult with 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

Consent Order
Alexander Vladimirovich Otellin, M.D.

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 legal 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 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 may be reported to other jurisdictions, the National Practitioner Data Bank, 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. Dr. Otellin is hereby **PUBLICLY REPRIMANDED** for failing to disclose on his 2013 license renewal application that he had a malpractice settlement during the requisite reporting period.

Consent Order
Alexander Vladimirovich Otellin, M.D.

2. Dr. Otellin is hereby assessed a **CIVIL FINE** in the amount of one thousand dollars (\$1,000.00). Dr. Otellin's payment of the fine must be received by the Board on or before Friday, August 15, 2014.

3. Dr. Otellin agrees to comply fully with the requirements of the West Virginia Medical Practice Act and the legislative rules of the Board at all times while he is licensed to practice medicine in West Virginia, and further agrees to comply with the terms of this Consent Order.

4. Any failure by Dr. Otellin to submit full payment of this fine by August 15, 2014, shall constitute a material breach of this Order, and may subject Dr. Otellin to additional disciplinary action pursuant to West Virginia Code §30-3-14, and as permitted by law.

5. 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: August 05, 2014

WEST VIRGINIA BOARD OF MEDICINE



Ahmed D. Faheem, M.D.
President

Date: 7.29.14

Consent Order
Alexander Vladimirovich Otellin, M.D.

Letitia Tierney
Letitia E. Tierney, M.D., J.D.
Secretary

Date: 8/3/14

ACCEPTANCE

I, ALEXANDER VLADIMIROVICH OTELLIN, M.D., 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, AND I HAVE BEEN PROVIDED WITH AMPLE TIME TO SEEK LEGAL ADVICE FROM MY ATTORNEY REGARDING MY ACCEPTANCE OF THIS CONSENT ORDER.

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

Alexander Otellin MD
Alexander Vladimirovich Otellin, M.D.
Date: July 24, 2014

STATE OF WEST VIRGINIA

COUNTY OF KANAWHAH, to-wit:

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

Given under my hand this 24th day of JULY, 2014.

My Commission expires 3/26/19

R. Douglas Calderwood
Notary Public

