

MINUTES

TENNESSEE BOARD OF MEDICAL EXAMINERS

February 12, 2010

A meeting of the Board of Medical Examiners was held at 5:00 p.m. in the Iris Room, Ground Floor, 227 French Landing, Heritage Place Metrocenter, Nashville, TN 37243.

Members in attendance electronically: Drs. Barrett Rosen and Keith Lovelady

Member in attendance: Dr. Subhi Ali

Staff present: Rosemarie Otto, Executive Director; David Himmelreich, Deputy General Counsel and Sandra Powell, Board Administrator

A meeting was held to afford Visuvalingam Vilvarajah, MD an opportunity to respond to the Board of Medical Examiners' January 29, 2010 action summarily suspending his medical license.

Dr. Vilvarajah was present and represented by legal counsel, Mr. Frank Scanlon, of the Nashville Bar. Mr. Jim Todd, criminal defense attorney and Mr. Charles Walker also spoke on Vilvarajah. Mr. David Himmelreich represented the State. Dr. Lovelady made a motion to proceed with the hearing electronically and Dr. Rosen seconded the motion. After a roll call vote, the motion passed and the hearing proceeded electronically.

Mr. Himmelreich gave a brief overview of the proceedings previously held that led to the panel summarily suspending the medical license of Dr. Vilvarajah. Mr. Scanlon followed with a response, explaining in detail the criminal proceedings in Harlan County, Kentucky. To buttress his response, Mr. Scanlon deferred to Mr. Jim Todd, the criminal defense attorney who represented Dr. Vilvarajah in those proceedings and Mr. Charles Walker, Dr. Vilvarajah's counsel in another administrative matter in Tennessee. Mr. Scanlon concluded his presentation. Both sides gave brief closing remarks.

The panel discussed several issues regarding Dr. Vilvarajah. Dr. Ali asked other panel members if anything presented at the hearing would cause them to disturb the previously issued order. Dr. Rosen reiterated concerns regarding Dr. Vilvarajah's attempt to reinstate his DEA certificate. The panel then decided that they heard nothing that had persuaded them to lift the previous order summarily suspending the medical license of Dr. Vilvarajah. Dr. Lovelady then made a motion to uphold the summary suspension of Dr.

Vilvarajah's medical license and Dr. Rosen seconded the motion. The motion passed. A roll call vote was conducted and the meeting was adjourned.

Adjourned at 6:30 p.m.

These minutes were ratified by the Board at their 3/16/2010 meeting.