STATE OF OHIO
THE STATE MEDICAL BOARD OF OHIO
77 SOUTH HIGH STREET
17TH FLOOR
COLUMBUS, OHIO 43215

July 13, 1990

Willis S. Boyd, M.D.
107 Maryland Drive
Darlington, South Carolina 29532

Dear Doctor Boyd:

Please find enclosed a certified copy of the Findings, Order, and Journal Entry approved and confirmed by the State Medical Board meeting in regular session on July 11, 1990.

Section 119.12, Ohio Revised Code, may authorize an appeal from this Order. Such an appeal may be taken to the Franklin County Court of Common Pleas only.

Such an appeal setting forth the Order appealed from and the grounds of the appeal must be commenced by the filing of a Notice of Appeal with the State Medical Board of Ohio and the Franklin County Court of Common Pleas within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12 of the Ohio Revised Code.

Very truly yours,

Henry G. Cramblett, MD

Henry G. Cramblett, M.D.
Secretary

HGC:em
Enclosures

CERTIFIED MAIL NO. P 055 325 383
RETURN RECEIPT REQUESTED

Mailed 7/17/90

STATE MEDICAL BOARD OF OHIO

CERTIFICATION

I hereby certify that the attached copy of the Findings, Order, and Journal Entry, approved by the State Medical Board, meeting in regular session on July 11, 1990, constitutes a true and complete copy of the Findings, Order, and Journal Entry in the matter of Willis S. Boyd, M.D., as it appears in the Journal of the State Medical Board of Ohio.

This certification is by authority of the State Medical Board of Ohio and in its behalf.

(SEAL)

Henry G. Cramblett, M.D.
Secretary

Date July 17, 1990

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF *

*

WILLIS S. BOYD, M.D. *

FINDINGS, ORDER, AND JOURNAL ENTRY

This matter came on for consideration after a citation letter was issued to Willis S. Boyd, M.D. by the State Medical Board of Ohio on May 11, 1988.

On May 11, 1988 notice was given to Dr. Boyd that the State Medical Board intended to consider disciplinary action regarding his license to practice medicine and surgery in Ohio, and that he was entitled to a hearing if such hearing was requested within thirty (30) days of the mailing of said notice. In accordance with Section 119.09, Ohio Revised Code, said notice was sent via certified mail, return receipt requested, to the last known address of Dr. Boyd, that being 107 Maryland Dr., Darlington, South Carolina 29532. Said address has been verified as being the last known address of record, as attested to in the affidavit of the responsible custodian of records, which is attached hereto and incorporated herein. Notice was also sent via certified mail, return receipt requested, to 1813 Treetop Dr., Apt. 18B, Erie, Pennsylvania 16509 and c/o Kim Dickson Boyd, 1541 West 54, #2, Erie, Pennsylvania 16509. Each of the aforesaid mailings were returned to the State Medical Board due to inability to deliver.

Subsequently, in compliance with Section 119.07, Ohio Revised Code, said notice was published once a week for three consecutive weeks in newspapers of general circulation in Erie, Pennsylvania, and Darlington, South Carolina, the last dates of such publication being April 25, 1990 and April 26, 1990, respectively. Copies of the newspaper notices were then sent to Dr. Boyd at 107 Maryland Dr., Darlington, South Carolina 29532 and 1813 Treetop Dr., Apt. 18B, Erie Pennsylvania 16509.

No request for hearing has been received and thirty (30) days have elapsed since the mailing of the aforesaid notice.

WHEREFORE, it is hereby ORDERED that for the reasons outlined in the May 11, 1988 letter of notice which is attached hereto and incorporated herein, accordingly, the license of Willis S. Boyd, M.D. to practice medicine and surgery in Ohio be REVOKED.

This ORDER shall become effective July 11, 1990.

This order is hereby entered upon the Journal of the State Medical Board of Ohio for the 11th day of July, 1990 and the original thereof shall be kept with said Journal.

(SEAL)

Henry G. Cramblett, M.D.
Secretary

Date July 17, 1990

STATE OF OHIO
THE STATE MEDICAL BOARD
65 South Front Street
Suite 510
Columbus, Ohio 43266-0315

May 11, 1988

Willis S. Boyd, M.D.
107 Maryland Drive
Darlington, South Carolina 29532

Dear Doctor Boyd:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio intends to determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation for one or more of the following reasons:

(1) On or about July 26, 1987, the State Board of Medical Examiners of South Carolina placed your license to practice medicine in South Carolina on Indefinite Suspension based upon a statement of the case, findings of fact, and conclusions of law contained in the Board's Final Order which is attached hereto and fully incorporated by reference herein.

The Indefinite Suspension of your South Carolina license which contains various limitations on your license to practice medicine in the State of South Carolina, as alleged in the above paragraph (1), constitutes "the limitation, revocation, or suspension by another state of a license or certificate to practice issued by the proper licensing authority of that state, the refusal to license, register, or reinstate an applicant by that authority, for an action that would also have been a violation of this chapter, except for nonpayment of fees," as that clause is used in Section 4731.22(B)(22), Ohio Revised Code, to wit: Section 4731.22(B)(6), Ohio Revised Code.

Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, that request must be received in the offices of the State Medical Board within thirty (30) days of the time of mailing of this notice.

You are further advised that you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before the agency, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing received within thirty (30) days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation.

Copies of the applicable sections are enclosed for your information.

Very truly yours,

Henry G. Cramblett, M.D.
Secretary

HGC:jmd

Enclosures

CERTIFIED MAIL RECEIPT NO. 746 512 836
RETURN RECEIPT REQUESTED

SECOND NOTICE MAILED 12/14/88
#P 753 404 771

CERTIFIED TRUE COPY

2nd DAY OF May 19 88

Marion L. Wa[illegible]

NOTARY PUBLIC FOR SOUTH CAROLINA

My Commission Expires 3/2/98

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

BEFORE THE STATE BOARD
OF MEDICAL EXAMINERS
OF SOUTH CAROLINA

In the Matter of:)
)
WILLIS S. BOYD, M.D.,)
Medical License #12249,)
)
Respondent.)
)

'88 MAY -5 A11:2[illegible]

RECEIVED
OHIO STATE
MEDICAL

FINAL ORDER

STATEMENT OF THE CASE

On or about May 22, 1987, the Executive Director of the State Board of Medical Examiners of South Carolina (the Board) filed and served a Notice and Complaint against Willis S. Boyd, M.D. (Respondent), who is a physician duly licensed by the Board to practice medicine in South Carolina. On or about June 29, 1987, after proper notice, a Hearing was held before a Panel of members of the Medical Disciplinary Commission pursuant to Section 40-47-200 and Regulations No. 81-15 and 81-16 of the 1976 Code of Laws of South Carolina, as amended. Following receipt of the Hearing Panel's Report, a Final Order hearing was noticed and scheduled for Wednesday, July 15, 1987, at the Mariner's Inn, Hilton Head Island, South Carolina. The Respondent did not appear but was represented by counsel, Kevin M. Barth, Esquire, of Florence. The State was represented by Richard P. Wilson, Assistant Attorney General. After considering the testimony and exhibits presented and the arguments of

the parties, the Board does hereby make the following Findings of Fact and Conclusions:

FINDINGS OF FACT

The Board finds:

1. The Respondent is a physician duly licensed by the Board to practice medicine in South Carolina.

2. The Respondent currently practices medicine in the State of Delaware; however, during the times alleged in the Complaint, he practiced in Darlington, South Carolina.

3. This matter involved the Respondent's care of Ms. Lois Ham and the subsequent death of Ms. Ham and her infant.

4. Between approximately November 15, 1985, and April 6, 1986, the Respondent provided obstetrical care to Ms. Lois Ham at the Darlington Medical Clinic, Darlington, S.C.

5. At Ms. Ham's initial visit on November 15, 1985, the office records indicate that her blood pressure was 100/60 and her weight was 199 lbs. at approximately 3 months into her third pregnancy. It was also noted that she was already on Synthroid .15 mgs. for hypothyroidism and that she had a family history of heart trouble.

6. On December 11, 1985, Respondent saw Ms. Ham and noted a weight gain of 9 lbs. to 208 lbs. Her blood pressure was recorded as 130/70 and she was directed by Respondent to return in four weeks.

7. On January 22, 1986, Respondent noted a weight gain of 2½ lbs. to 210 lbs., up approximately 12 lbs. from

her initial visit in November. Additionally, she was found by Respondent to be excreting protein in her urine at a 2 plus rate. Subsequent laboratory retesting confirmed the presence of proteinuria at the rate of 1 plus. Respondent stated that he attributed the protein reading to a urinary tract infection of some type. The record contains no indication that Respondent attempted to treat any such infection. He instructed her to come back in one week.

8. On February 28, 1986, Respondent observed in Ms. Ham a blood pressure of 132/96 with a weight gain of 13.5 lbs. since her previous visit, up 25 lbs. to 224 lbs. She was also noted as excreting protein in her urine at a 2 plus rate. A repeat of her blood pressure was 132/88. She was also noted as being one plus edema. The record further contains observations such as, "heart feels like it is jumping out of chest," reported numbness in her right arm, and her feet were swelling. Her potassium level was found to be down to 3.48 and she was provided a drug (K-lyte) to address that deficiency. Respondent told her to return in three weeks.

9. On March 31, 1986, Respondent's record indicates that he found her with a blood pressure of 130/70. A weight gain of 18.6 lbs. to 242.6 lbs., up over 43½ lbs, was also noted. She was found to be excreting protein in her urine at the rate of 4 plus and was 3 plus edema. Respondent testified that he believed that he was dealing with a kidney

problem of some sort and not pre-eclampsia. He told her to reduce her caloric intake and reduce the amount of salt in her diet and sent her away with instructions to perform a 24-hour urine catch and come back in one week.

10. On April 2, 1986, Ms. Ham saw the Respondent again and returned the urine sample. The record indicates that she had lost .4 lbs., and weighed 242 lbs.. She reported breast swelling and tenderness. No other measurements were recorded. Respondent explained that this was not treated as an office visit. He told her to come back in one week.

11. On April 4, 1986, the record indicates that the Respondent received the laboratory results on Ms. Ham's urine catch. The record indicated proteinuria being present at 3,455 milligrams for the 24-hour period. He explained that this serious problem was believed by him to be a kidney disease and that he consulted Dr. Gastright, who recommended that she be examined by an internist in a high-risk pregnancy setting. The record contained no reference to the consultation with Dr. Gastright. However, the record does contain reference to "plan referral to High-Risk OB in Florence" and indications that he attempted to contact either Ms. Ham or the OB unit. He was unsuccessful. Respondent further testified that he considered the condition of his patient serious but not urgent.

12. Later that night on April 5, 1986, Respondent received a telephone call from Ms. Ham's family concerning

her having difficulty in breathing. Respondent advised them to rush her to Southland Hospital Emergency Room in Darlington. Upon meeting her there, a blood pressure of 180/90 was noted. Respondent further observed her breathing difficulty and noted cardiac irregularities. He placed her on lydocaine to treat her pre-ventricular contractions. Although she was not in stable condition, Respondent decided to have her transferred to the McLeod Regional Medical Center in Florence. Respondent contacted McLeod to make the necessary arrangements and had EMS called to transport her. Upon transferring Ms. Ham to the stretcher for transport, Respondent noted that she became lethargic, was drooling, and an oral airway had to be performed.

13. En route there were a number of problems with the vehicle and its equipment malfunctioning. Respondent had difficulty particularly with maintaining the lydocaine drip. Ms. Ham's condition continued to deteriorate. She lost consciousness and suffered at least two grand mal seizures during transport. Respondent requested valium or phenobarbital of the EMS personnel and was advised to his surprise that they were not authorized to carry controlled substances and, accordingly, did not have such drugs on board. Respondent then requested magnesium sulfate and received a similar reply. Respondent had no such drugs available on his person.

14. Upon arrival at McLeod, care of the patient was turned over to the staff at that facility. Despite heroic efforts, both mother and infact subsequently died.

15. Two expert medical witnesses reviewed the records concerning this case and rendered their expert opinions as to Respondent's performance. Both expressed concern over the interval of time between the emergence of symptoms of pre-eclampsia and Respondent's diagnosis, as well as other criticisms of his medical management of Ms. Ham's case. In their expert opinions, the quality of care was extremely poor and Respondent's treatment of this patient was outside the range of acceptable medical treatment in similar situations in this state. The Board agrees and so finds that Respondent's treatment in this case was below the standard of care expected of competent practitioners in similar situations in this State.

16. The Board further finds that Respondent maintained inadequate prenatal records, as indicated by the records and testimony.

17. The Board further finds that Respondent's medical treatment in this case demonstrates a poor evaluation of the patient's renal function.

18. The Board further finds that Respondent failed to recognize a potential life-threatening medical condition (pre-eclampsia) which should have been recognized much sooner in the course of treatment.

19. The Board further finds that Respondent inadequately monitored this patient's medical course.

20. The Board further finds that Respondent failed to adequately stabilize his patient prior to EMS transport.

CONCLUSIONS OF LAW

The Board concludes:

1. The Respondent has violated Section 40-47-200(7) of the 1976 Code of Laws of South Carolina, as amended, in that he has violated the Principles of Ethics adopted by the Board.

2. The Respondent has violated Section 40-47-200(8) of the 1976 Code of Laws of South Carolina, as amended, in that he has engaged in unprofessional conduct likely to deceive, defraud, or harm the public.

3. The Respondent has violated Section 40-47-200(12) of the 1976 Code of Laws of South Carolina, as amended, in that he has violated the following provisions of the Principles of Medical Ethics:

A. Regulation 81-60(B), in that his care of this patient did not reflect current medical knowledge and skill.

B. Regulation 81-60(D), in that Respondent is deficient in moral character or professional competency, and failed to uphold the dignity and honor of the profession.

C. Regulation 81-60(H), in that Respondent failed to seek timely consultation when it appeared the quality of medical care may have been enhanced thereby.

4. The Respondent did not violate Regulation 81-60 (A), (E), and (F).

THEREFORE, IT IS ORDERED that Respondent's license to practice medicine in South Carolina be placed on Indefinite Suspension, said suspension being immediately stayed upon the payment of a civil penalty of One Thousand ($1,000.00) Dollars. Prior to his return to the practice of medicine in this State, Respondent shall first personally appear before the Board and submit such information as the Board may desire concerning the quality of Respondent's practice in Delaware, or other information desired, in order that the Board may determine whether to impose any additional requirements for practice including, but not limited to, additional Continuing Medical Education as the Board deems appropriate.

AND IT IS SO ORDERED.

STATE BOARD OF MEDICAL EXAMINERS
OF SOUTH CAROLINA

BY: J. ERNEST LATHEM, M.D.
President of the Board

July 29, 1987.