

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:)	
)	
Matthew Block, M.D.,)	CONSENT ORDER
)	
Respondent.)	

This matter is before the North Carolina Medical Board ("Board") on information regarding Matthew Block, M.D. ("Dr. Block"). Dr. Block admits and the Board finds and concludes that:

STATUTORY AUTHORITY

The Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Article 1 of Chapter 90 of the North Carolina General Statutes and the rules and regulations promulgated thereto.

FINDINGS OF FACT

On or about April 26, 2001, the Board issued Dr. Block a license to practice medicine, license number 200100308.

During the time relevant herein, Dr. Block practiced cardiology and internal medicine in Laurinburg, North Carolina.

In July 2003, Dr. Block entered into a Consent Order with the Board in which he was reprimanded for allowing his wife

to access his patient charts and allowing his wife to sign his name to the patient charts.

In November 2008, Dr. Block entered into a Consent Order with the Board in which Dr. Block's license was suspended for two years, with the suspension immediately stayed. Dr. Block was placed on indefinite probation. The Board found and Dr. Block admitted, in relevant part, that he had not documented several prescriptions to some of his employees and former employees and that he had authorized numerous prescriptions for controlled substances to a relative. Dr. Block was prohibited from issuing prescriptions for any family members or employees of his office. Dr. Block was required to maintain strict and ongoing supervision over his employees and was required to maintain complete, timely, and thorough medical records on all patients.

In January 2011, Dr. Block requested that he be relieved of the terms and conditions of his November 2009 Consent Order. In his letter requesting termination of the November 2008 Consent Order, Dr. Block stated, "I fully understand that my practice of medicine will always be implicitly under probation and that my practice of medicine, more than other physicians, must follow the letter of the law, in view of the mistakes I have made."

In April 2011, Dr. Block was relieved of the terms and conditions of the November 2008 Consent Order.

In September 2015, the Board received a complaint alleging that Dr. Block was not recording nuclear stress test results in his patients' medical records in a timely manner. During an interview with a Board investigator, Dr. Block stated that he had read the tests and that the test results were immediately at hand in his office, but he acknowledged at the interview that he was behind in his dictation and was working to bring all cases current. Dr. Block indicated that he anticipated having all of his medical records current by July 2016.

Dr. Block reports that all of his medical records were current as of July 2016, and that they all remain current.

Also, in September 2015, the Board received allegations that Dr. Block had authorized one or more prescriptions for Ambien to an employee, referred to as Patient A, with the intent and for the purpose of diverting it for his own use.

Dr. Block denies that he authorized fraudulent prescriptions to Patient A or any other patient. Dr. Block specifically denies diverting Patient A's medication for his own use.

However, Dr. Block admits that between January 2014 and March 2015, he authorized four or five telephone

prescriptions for Lunesta and/or Ambien to Patient B, a member of Dr. Block's immediate family. Patient B's primary care physician had also prescribed these medications for Patient B. Dr. Block did not write prescriptions for Patient B after March 2015.

Ambien and Lunesta are Schedule IV controlled substances under the Controlled Substances Act. 21 NCAC 32B .1001(c)(2) prohibits a physician from prescribing a controlled substance, as defined by state and federal controlled substance acts, for the use of the physician's immediate family.

Dr. Block acknowledges that by writing prescriptions for these controlled substances to Patient B and by not keeping his medical records up-to-date that he departed from or failed to conform to the standards of acceptable and prevailing medical practice within the meaning of N.C. Gen. Stat. § 90-14(a)(5).

In June 2015, a staff member at Scotland Memorial Hospital ("Hospital") reported that Dr. Block seemed 'euphoric' and overly tired one Monday morning. The Hospital asked Dr. Block to undergo breath and urine testing that day and Dr. Block agreed. Before being tested, Dr. Block said that he took prescribed Ambien for sleep. Dr. Block said that he took an occasional Hydrocodone, a Schedule II controlled substance, for back pain, and/or an occasional Phentermine for energy.

Dr. Block acknowledges that the Hydrocodone and Phentermine had been prescribed for an immediate family member, instead of him, and that he obtained these medications from that immediate family member.

Dr. Block's drug screens that day came back negative.

The Hospital referred Dr. Block to the North Carolina Physician's Health Program ("NCPHP") for an evaluation. NCPHP referred Dr. Block for a four-day inpatient assessment, which was scheduled for late September 2015.

On September 3, 2015, Dr. Block signed a non-practice agreement, in which he agreed that he would not practice medicine until he was evaluated and cleared to return to work by NCPHP.

In early September 2015, Dr. Block went to Atlanta, Georgia for a four-day residential substance use evaluation at Talbott Recovery ("Talbott"). Talbott found no substance use disorder and recommended Dr. Block return to practice. Talbott also recommended that Dr. Block enter into a monitoring contract for six months with NCPHP, which he did. This contract required that Dr. Block abstain from alcohol and non-prescribed drugs.

Talbott also recommended that Dr. Block take the one-week Vanderbilt remedial prescription course in Nashville, Tennessee, which Dr. Block completed in November 2015.

In late November 2015, Dr. Block drank alcohol over Thanksgiving weekend in violation of his contract with NCPHP. Dr. Block's urine tested positive for alcohol metabolites. Therefore, in early December 2015, NCPHP sent him for a four-day residential evaluation at the Farley Center in Williamsburg, Virginia. The Farley Center diagnosed Dr. Block as having a moderate alcohol use disorder and recommended ninety (90) days of residential treatment.

Dr. Block asked NCPHP for a second opinion, and NCPHP agreed. In mid-December, Dr. Block went for a four-day residential evaluation at Fellowship Hall in Greensboro, North Carolina. Fellowship Hall diagnosed Dr. Block as having a mild to moderate alcohol use disorder and recommended thirty (30) days of residential treatment. Dr. Block agreed with this recommendation and began residential treatment in late December.

During treatment at Fellowship Hall, that program changed its recommendation from thirty (30) to ninety (90) days of residential care. Dr. Block disagreed with this recommendation. After completing thirty (30) days of residential care at Fellowship Hall, Dr. Block, with the approval of NCPHP, went to Vanderbilt in Nashville, Tennessee, to obtain its opinion about whether another sixty (60) days of residential care was necessary.

Vanderbilt agreed with Fellowship Hall's recommendation. Dr. Block accepted this recommendation and completed another sixty (60) days of residential care at Pavilion in Mill Springs, North Carolina instead of returning to Fellowship Hall. Dr. Block completed his treatment at Pavilion in late March 2016.

For a period of nearly four months, ending in late March 2016, while Dr. Block was not practicing, he paid his office staff from his personal funds, at a substantial cost to himself.

Dr. Block repeated previous misconduct and violated his previous commitments to the Board. This is at least partly attributable to his initially undiagnosed and untreated alcohol use disorder.

Dr. Block began to remediate his improper behavior before it was known to the Board. Moreover, Dr. Block has reduced his work load. Dr. Block has cooperated with the Board's investigation.

Dr. Block remains under contract with NCPHP and he has been compliant with that contract since late November 2015. NCPHP advocates for Dr. Block.

CONCLUSIONS OF LAW

Dr. Block admits that, by prescribing controlled substances to an immediate family member in violation of 21 NCAC 32B .1001, he committed unprofessional conduct within

the meaning of N.C. Gen. Stat. § 90-14(a)(6) and grounds exist for the Board to suspend, revoke or limit Dr. Block's medical license or to deny any license application he might make in the future.

Dr. Block admits that, by failing to maintain complete, timely, and thorough medical records on all patients, he committed unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and grounds exist for the Board to suspend, revoke or limit Dr. Block's license or to deny any license application he might make in the future.

Dr. Block admits that, when abusing alcohol, he is unable to practice medicine with reasonable skill and safety to patients within the meaning of N.C. Gen. Stat. § 90-14(a)(5) and grounds exist for the Board to suspend, revoke or limit Dr. Block's license or to deny any license application he might make in the future.

Dr. Block admits that his diversion of an immediate family member's prescribed medication, including Hydrocodone and Phentermine, for his own use constitutes unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and grounds exist for the Board to suspend, revoke or limit Dr. Block's license or to deny any license application he might make in the future.

PROCEDURAL STIPULATIONS

Dr. Block acknowledges and agrees that the Board has jurisdiction over him and over the subject matter of this case.

Dr. Block knowingly waives his right to any hearing and to any judicial review or appeal in this case.

Dr. Block acknowledges that he has read and understands this Consent Order and enters into it voluntarily.

Dr. Block desires to resolve this matter without the need for more formal proceedings.

ORDER

Now, therefore, with Dr. Block's consent, it is ORDERED that:

1. Dr. Block's license to practice medicine in North Carolina is hereby placed on SUSPENSION for twenty-four (24) months from the date of this Consent Order. The suspension will be immediately stayed and remain stayed so long as Dr. Block adheres to the following terms and conditions.

2. Dr. Block is restricted and prohibited from prescribing Schedule I, II/IIN, III/IIIN, and IV controlled substances.

3. Dr. Block shall finish dictation in a timely manner and shall maintain complete and timely medical records for

all patients. All medical records shall accurately state the date and time of interpretation.

4. Dr. Block shall maintain his current contract with NCPHP and abide by its terms, including the timely payment of any fees required by NCPHP.

5. Unless lawfully prescribed for him by someone other than himself, Dr. Block shall refrain from the use or possession of alcohol and all other mind- or mood-altering substances and all controlled substances including but not limited to, sedatives, stimulants, and pain medication.

6. Upon request by the Board, Dr. Block shall supply urine, blood, hair, or any other bodily fluid or tissue sample the Board might reasonably require for the purposes of analysis to determine if he has consumed any of the substances mentioned above.

7. Upon an *ex parte* determination of probable cause by the Board that Dr. Block has failed to comply with any of the terms and conditions of this Consent Order, that determination, without further showing, shall constitute grounds for the Board to summarily suspend Dr. Block's North Carolina license pursuant to N.C. Gen. Stat. 150-3C.

8. Failure to comply with the terms and conditions of this Consent Order, shall constitute unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and shall

be additional grounds for the Board to suspend or revoke his license or to deny any license application Dr. Block might make in the future or then have pending for a license.

9. Dr. Block shall comply with all laws, rules, and regulations involving the practice of medicine. Dr. Block shall not commit any offense that is indicative of moral turpitude, including but not limited to crimes of violence or fraud.

10. Dr. Block shall notify the Board in writing of any change in his residence and practice addresses within ten (10) days of the change. Dr. Block shall meet with the Board or members of the Board for an investigative interview at such times as requested by the Board.

11. This Consent Order shall take effect upon its execution by both Dr. Block and the Board, and it shall continue in effect until specifically ordered otherwise by the Board.

12. Dr. Block hereby waives any requirement under any law or rule that this Consent Order be served on him.

13. Upon execution by Dr. Block and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be

reported to persons, entities, agencies, and clearinghouses as required by and permitted by law including the National Practitioner Data Bank and the Federation of State Medical Boards.

By Order of the North Carolina Medical Board this the 1st day of November, 2017.

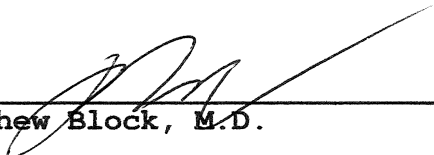
NORTH CAROLINA MEDICAL BOARD

By:

Handwritten signature of Timothy E. Lietz, M.D. in cursive script.

Timothy E. Lietz, M.D.
President


Consented to this the 19 day of October, 2017.



Matthew Block, M.D.

Sworn to and subscribed before me

this the 19th day of October, 2017.



Notary Public

(SEAL)

My Commission Expires: 12-06-17