

BEFORE THE WEST VIRGINIA BOARD OF MEDICINE

IN RE:

MILAN J. PACKOVICH, M.D.

CONSENT ORDER

The West Virginia Board of Medicine ("Board") and Milan J. Packovich, M.D., ("Dr. Packovich") freely and voluntarily enter into the following Order pursuant to West Virginia Code §30-3-14(n):

FINDINGS OF FACT

1. Dr. Packovich holds a license to practice medicine and surgery in the State of West Virginia, License No. 8772, issued in 1965.

2. On his most recent Application for Biennial Registration of License to Practice Medicine and Surgery in the State of West Virginia, Dr. Packovich advised the Board of a Consent Order into which he had entered with the New Jersey State Board of Medical Examiners in May, 1989, which Consent Order reprimanded Dr. Packovich, required the payment of a civil penalty, and imposed certain requirements regarding his practice of medicine.

3. At its regular meeting in September, 1989, the Board reviewed a copy of the Consent Order referred to in paragraph 2 of this Consent Order and all the information

provided by Dr. Packovich on his Application for Biennial Registration.

CONCLUSIONS OF LAW

1. The West Virginia Medical Practice Act declares that the practice of medicine is a privilege and that as a matter of public policy, the provisions in the Act are necessary to protect the public interest (West Virginia Code §30-3-1).

2. Probable cause exists to file charges against Dr. Packovich pursuant to the provisions of West Virginia Code §30-3-14(c)(17), violating a rule of the Board, in that Dr. Packovich has engaged in conduct of a character likely to deceive or mislead the public or any member thereof (11 CSR 1 19.1[e]).

3. The Board has determined that it is appropriate to waive the commencement of proceedings against Dr. Packovich and to proceed without the filing of charges or a formal Complaint and Notice of Hearing, provided restrictions and limitations are placed upon his license to practice medicine and surgery in West Virginia.

CONSENT

Milan J. Packovich, 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. Packovich 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.;

2. Dr. Packovich 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. Packovich waives all such rights to a hearing;

4. Dr. Packovich consents to the entry of this ORDER relative to his practice of medicine and surgery in the State of West Virginia; and,

5. Dr. Packovich neither admits nor denies the Conclusions of Law set forth above.

6. Dr. Packovich understands that this ORDER is considered public information.

#### ORDER

WHEREFORE, on the basis of the foregoing Findings of Fact and Conclusions of Law and on the basis of the consent of Dr. Packovich, the Board hereby ORDERS that:

1. Dr. Packovich be PUBLICLY REPRIMANDED for his involvement in New Jersey in treating "Candida Albicans Overgrowth Syndrome," performing chelation therapy for arterial conditions and prescribing or administering vitamin and mineral "cocktail" transfusions to patients in the State of New Jersey, all without making sufficient affirmative disclosures regarding the nature of the treatment and thereby not obtaining a truly informed consent, and Dr. Packovich shall not engage in any such activities in West Virginia unless he has made a written request to the Board for permission to engage in such activities and has received such permission in writing from the Board.

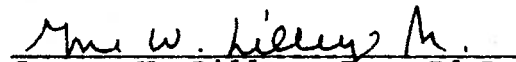
2. Dr. Packovich shall not delegate to persons not appropriately licensed the authority to administer injections or transfusions to his patients or to any member of the public.

3. Failure of Dr. Packovich to comply with any of the terms of this Order, as determined by the Board, shall be grounds for revocation of his license to practice medicine and surgery in West Virginia, as of the date of violation and may result in action pursuant to West Virginia Code §30-3-14(j).

Dated this 19th day of October, 1989.

WEST VIRGINIA BOARD OF MEDICINE

  
Eileen Catterson, M.D.  
President

  
George W. Lilley, Jr., Ed.D.  
Acting Secretary

Milan J. Packovich, M.D.  
Milan J. Packovich, M.D.

Date: October 23, 1989

STATE OF WEST VIRGINIA

COUNTY OF Branche, to-wit:

I, Joyce Perkins, a Notary Public for  
said county and state do hereby certify that Milan J. Packovich,  
M.D., whose name is signed above, has this day acknowledged the  
same before me.

Given under my hand this 23 day of  
October, 1989.

My commission expires March 26, 1996.

Joyce Perkins  
NOTARY PUBLIC

