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BEFORE THE VIRGINIA BOARD OF MEDICINE

IN RE: ANDREW HOWARD HEYMAN, M.D.
License Number: 0101-245474
Case Number: 178631

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Medicine ("Board") and Andrew Howard Heyman, M.D., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Dr. Heyman's license to practice medicine and surgery in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Andrew Howard Heyman, M.D., was issued License Number 0101-245474 to practice medicine and surgery on April 21, 2009, which is scheduled to expire on September 30, 2020.
2. Dr. Heyman violated Virginia Code § 54.1-2915(A)(3) in his care and treatment of Patient A from March 26, 2014 through December 14, 2016, in that:
 - a. With regard to prescribing narcotics:
 - i. At Patient A's initial visit with Dr. Heyman on March 26, 2014, Dr. Heyman performed an examination of Patient A's big toe, diagnosed him with gout, and prescribed Percocet 5/325mg #60, as well as Indocin.
 - ii. On July 3, 2014, Patient A called requesting a prescription for Percocet, giving no reason for his request. Dr. Heyman authorized the prescription for Percocet 5/325mg #60, absent a physical examination and without documenting a medical justification for the prescription. On three more occasions, September 14, 2015, January 7, 2016, and July 12, 2016, Dr. Heyman prescribed

Percocet 5/325mg #30, absent a physical examination or a documented medical justification for the prescriptions.

iii. At Patient A's July 7, 2015 office visit, Dr. Heyman diagnosed Patient A with alcoholism after he self-reported drinking a bottle of wine every night and taking Ambien, which was prescribed by Dr. Heyman on May 27, 2014, December 9, 2014, January 23, 2015, and June 29, 2015. Despite this information, Dr. Heyman authorized a prescription for trazodone 50mg #30 on August 12, 2015. On August 17, 2015, five days later, Patient A called Dr. Heyman requesting Xanax for sleep. The next day, Patient A called requesting more Ambien, and requesting Xanax for sleep, stating that he did not want to take the trazodone and had not slept in eight days. On August 19, 2015, Dr. Heyman mailed a prescription for Xanax .5mg #60 to Patient A, then telephonically ordered a prescription for Xanax .5mg #10 on August 20, 2015.

b. Dr. Heyman prescribed hydrochlorothiazide and enalapril throughout the treatment period but failed to properly monitor Patient A's hypertension. Patient A's medical record only contains one blood pressure reading, which pre-dates Dr. Heyman's care. Dr. Heyman performed no other monitoring of Patient A's hypertension. Dr. Heyman stated to the Board that he referred Patient A to a cardiologist, who Patient A saw on three occasions. Dr. Heyman stated that he deferred standard cardiovascular care because Patient A was being followed by cardiology, but wrote prescriptions when necessary.

3. Dr. Heyman stated to the Board that his practice focuses on offering integrative health therapies to support and augment standard care, and that he does not offer primary care services. Further, He admits that he should not have prescribed narcotics to Patient A in 2015 and 2016, and likely there was a better way than prescribing Xanax in addition to Ambien to handle Patient A's sleep issue. Dr. Heyman stated that in light of Patient A's severe alcoholism, and Patient A's refusal to seek medical

care or detoxification, he did all that he could given the nature of his practice, but he agrees that the care provided was less than ideal at times.

CONSENT

Andrew Howard Heyman, M.D., by affixing his signature to this Consent Order, agrees to the following:


1. I have been advised to seek advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; and the right to representation by counsel;
4. I waive my right to an informal conference;
5. I admit to the Findings of Fact and Conclusions of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;
6. I consent to the entry of the following Order affecting my license to practice medicine and surgery in the Commonwealth of Virginia.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Medicine hereby ORDERS as that Andrew Howard Heyman, M.D., is REPRIMANDED.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD



Jennifer Deschenes, J.D., M.S.
Deputy Executive Director
Virginia Board of Medicine

ENTERED: 7/6/2020

SEEN AND AGREED TO:



Andrew Howard Heyman, M.D.

~~CALIFORNIA~~
~~COMMONWEALTH OF VIRGINIA~~
COUNTY/CITY OF Dana Point, TO WIT:

Subscribed and sworn to before me, a notary public in and for the Commonwealth of Virginia at large,
on this 25 day of June, 2020.



Notary Public

My commission expires:

23 Apr. 1 2023

Registration No.:

2286046

