

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:)
)
John Carl Pittman, M.D.) NOTICE OF CHARGES
) AND ALLEGATIONS
Respondent.)

The North Carolina Medical Board (hereafter Board) has preferred and does hereby prefer the following charges and allegations:

1. 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.

2. Respondent, John Carl Pittman, M.D. (hereafter Dr. Pittman), is a physician licensed by the Board on or about August 8, 1987, license number 31614.

3. At the times relevant hereto, Dr. Pittman practiced medicine at the Carolina Center for Alternative and Nutritional Medicine in Raleigh, North Carolina.

FIRST CLAIM

4. Dr. Pittman began treating Patient A in December 1998 for, among other things, fatigue, Candida (yeast infection), and sleep disturbance.

5. After attempting other forms of treatment, Dr. Pittman decided to treat one or more of Patient A's conditions with a diluted form of hydrogen peroxide administered intravenously (IV). A well-known potential risk from IV hydrogen peroxide is hemolysis; that is, injury to the red blood cells such that the delivery of oxygen to the body is impaired. Severe cases of hemolysis can result in fatigue, light-headedness, fainting, chest tightness, and even death. Dr. Pittman failed to inform Patient A of the risk of hemolysis prior to beginning her on IV hydrogen peroxide.

6. Due to the increased risk of hemolysis when administering IV hydrogen peroxide, it is important to make sure the patient's red blood cell count is sufficient before and during this treatment. This is accomplished by testing the hemoglobin and hematocrit (hereafter referred to as an H&H test).

7. An H&H test is particularly important before and during IV hydrogen peroxide treatments with women who are menstruating because they are more likely to have a low red cell blood count. At the time Dr. Pittman began IV hydrogen peroxide treatments, Patient A had just finished her menstrual period and had reported to Dr. Pittman that her last period was unusually heavy.

8. In addition, an H&H test is particularly important before and during IV hydrogen peroxide treatments with patients who, like Patient A, are members of the Jehovah's Witnesses and, therefore, do not accept blood transfusions. In serious cases of hemolysis resulting in severe anemia, a blood transfusion may be the only way to save a patient's life. Dr. Pittman knew or should have known Patient A was a Jehovah's Witness because she disclosed this on the first page of a Registration and Medical History form completed at Dr. Pittman's request.

9. Despite the foregoing, Dr. Pittman did not do an H&H test immediately prior to Patient A's first IV hydrogen peroxide treatment on October 16. This should have been done to determine whether Patient A had a sufficient red blood cell count and, if so, to record her baseline levels against which to compare future levels. In addition, Dr. Pittman waited until Patient A's fifth treatment on October 24 before doing an H&H test. At that point, Patient A reported fatigue, light-headedness, fainting, and chest tightness - symptoms usually associated with hemolysis.

10. On October 25, Dr. Pittman received the results of the H&H test and Patient A's hemoglobin had dropped to 5.8, less than half the normal value. Dr. Pittman called Patient A and informed her of the test results. However, instead of

recommending an emergency evaluation, he advised her to drink fluids and return to the office the next day.

11. Later that evening, Patient A became very weak and incoherent and her husband took her to the hospital. Her hemoglobin at that point had dropped to 3.8. Patient A remained in the hospital for six days until her hemoglobin had returned to a safe level.

12. By failing to inform Patient A of the risk of hemolysis with IV hydrogen peroxide, Dr. Pittman engaged in unprofessional conduct, including, but not limited to, departure from, or the failure to conform to, the standards of acceptable and prevailing medical practice, or the ethics of the medical profession within the meaning of N.C. Gen. Stat. § 90-14(a)(6), which is grounds under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition, or limit Dr. Pittman's license to practice medicine and surgery issued by the Board.

13. By failing to perform an H&H test immediately prior to administering IV hydrogen peroxide to Patient A and by not performing an H&H test until Patient A's fifth treatment eight days after beginning this treatment, Dr. Pittman engaged in unprofessional conduct, including, but not limited to, departure from, or the failure to conform to, the standards of acceptable

and prevailing medical practice, or the ethics of the medical profession within the meaning of N.C. Gen. Stat. § 90-14(a)(6), which is grounds under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition, or limit Dr. Pittman's license to practice medicine and surgery issued by the Board.

14. By failing to recommend an emergency evaluation of Patient A once he received information that she had severe anemia with hemolysis, Dr. Pittman engaged in unprofessional conduct, including, but not limited to, departure from, or the failure to conform to, the standards of acceptable and prevailing medical practice, or the ethics of the medical profession within the meaning of N.C. Gen. Stat. § 90-14(a)(6), which is grounds under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition, or limit Dr. Pittman's license to practice medicine and surgery issued by the Board.

SECOND CLAIM

15. Paragraphs one through three are realleged and incorporated herein.

16. On October 9, 2000, Dr. Pittman prescribed Coumadin for Patient A. However, Dr. Pittman failed to monitor Patient

A's prothrombin time either before or after issuing this prescription to make sure he was prescribing a safe dose.

17. By failing to obtain Patient A's prothrombin time either before or after prescribing Coumadin, Dr. Pittman engaged in unprofessional conduct, including, but not limited to, departure from, or the failure to conform to, the standards of acceptable and prevailing medical practice, or the ethics of the medical profession within the meaning of N.C. Gen. Stat. § 90-14(a)(6), which is grounds under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition, or limit Dr. Pittman's license to practice medicine and surgery issued by the Board.

THIRD CLAIM

18. Paragraphs one through three are realleged and incorporated herein.

19. In January 1999, February 1999, and March 2000, Dr. Pittman tested Patient A for, among other things, her cholesterol levels. In each instance, Patient A had high levels of cholesterol (205, 220, and 235, respectively). However, Dr. Pittman failed to recommend any effective form of treatment to address this health concern including, but not limited to, prescribing lipid-lowering drugs.

20. By failing to recommend any effective form of treatment despite Patient A's high cholesterol levels, Dr. Pittman engaged in unprofessional conduct, including, but not limited to, departure from, or the failure to conform to, the standards of acceptable and prevailing medical practice, or the ethics of the medical profession within the meaning of N.C. Gen. Stat. § 90-14(a)(6), which is grounds under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition, or limit Dr. Pittman's license to practice medicine and surgery issued by the Board.

FOURTH CLAIM

21. Paragraphs one through three are realleged and incorporated herein.

22. From the beginning, Patient A complained of fatigue and sleep disturbance. During subsequent visits, she also complained of depression, anxiety, and headaches. During a phone call on September 18, 2000, Patient A complained of severe depression and a complete inability to sleep for five days. Despite these symptoms, Dr. Pittman failed to treat Patient A's depression or refer her to a mental health professional.

23. By failing to treat Patient A's depression or refer her to a mental health professional, Dr. Pittman engaged in unprofessional conduct, including, but not limited to, departure

from, or the failure to conform to, the standards of acceptable and prevailing medical practice, or the ethics of the medical profession within the meaning of N.C. Gen. Stat. § 90-14(a)(6), which is grounds under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition, or limit Dr. Pittman's license to practice medicine and surgery issued by the Board.

NOTICE TO DR. PITTMAN

Pursuant to N.C. Gen. Stat. § 90-14.2, it is hereby ordered that a hearing on the foregoing Notice of Charges and Allegations will be held before the Board at 8:00 a.m. on Friday, September 20, 2002, or as soon thereafter as the Board may hear it, at the offices of the Board, 1201 Front Street, Raleigh, North Carolina, to continue until completed. The hearing will be held pursuant to N.C. Gen. Stat. § 150B-40, 41, and 42, and N.C. Gen. Stat. § 90-14.2, 14.4, 14.5, and 14.6. You may appear personally and through counsel, may cross-examine witnesses and present evidence in your own behalf.

You may, if you desire, file written answers to the charges and complaints preferred against you within 30 days after the service of this notice.

The identity of Patient A is being withheld from public disclosure pursuant to N.C. Gen. Stat. § 90-8. However, this information will be provided to you upon your request.

Pursuant to N.C. Gen. Stat. § 150B-40(c)(5), it is further ordered that the parties shall arrange a prehearing conference at which they shall prepare and sign a stipulation on prehearing conference substantially in the form attached hereto. The prehearing stipulation shall be submitted to the undersigned no later than seven days prior to the hearing date.

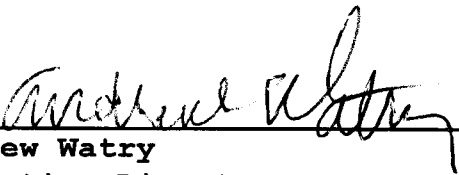
The right to be present during the hearing of this case, including any such right conferred or implied by N.C. Gen. Stat. § 150B-40(d), shall be deemed waived by a party or his counsel by voluntary absence from the Board's office at a time when it is known that proceedings, including deliberations, are being conducted, or are about to be conducted. In such event the proceedings, including additional proceedings after the Board has retired to deliberate, may go forward without waiting for the arrival or return of counsel or a party.

This the 15th day of May, 2002.

NORTH CAROLINA MEDICAL BOARD

By: Walter J. Pories
Walter J. Pories, M.D.
President

ATTEST:

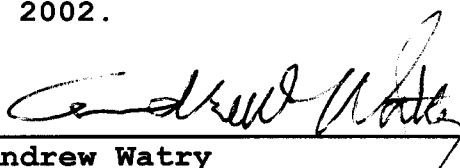


Andrew Watry
Executive Director

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Charges and Allegations was enclosed in a certified, return receipt requested, post-paid envelope addressed to John Carl Pittman, M.D., 4505 Fairmeadow Lane, Suite 111, Raleigh, NC 27607, and delivered to a post office for mailing certified mail return receipt requested as required by N.C. Gen. Stat. § 90-14.3.

This the 15th day of May, 2002.



Andrew Watry
Executive Director