

BEFORE THE WEST VIRGINIA BOARD OF OSTEOPATHY

WEST VIRGINIA BOARD OF OSTEOPATHY

Complainant,

v.

Complaint No. **2010-09**

VINSON M. DISANTO, D.O.,

Respondent.

CONSENT ORDER

The West Virginia Board of Osteopathy (hereinafter referenced as the "Board") has conducted an investigation after receiving information that the Respondent, VINSON M. DISANTO, D.O., may have engaged in unprofessional conduct in applying for licensure from the Board. After a discussion with the Respondent, the Board and the Respondent have come to an agreement regarding the disposition of this matter.

The West Virginia Board of Osteopathy and VINSON M. DISANTO, D.O., therefore, agree to entry of the following Order:

FINDINGS OF FACT

The West Virginia Board of Osteopathy makes the following findings:

1. The Respondent, VINSON M. DISANTO, D.O., is a licensee of the Board, holding Board-issued license #2442 to practice osteopathic medicine and surgery in the State of West Virginia.
2. On August 7, 2009, the Respondent submitted an application for a license to practice osteopathic medicine and surgery to the Board. On his application, he was asked, "Have you ever

been dropped , suspended, placed on probation, expelled or requested to resign from any school, college or university?” The Respondent answered “No” to this question.

3. After a review and verification of the Respondent’s application, the West Virginia Board of Osteopathy granted a license to practice osteopathic medicine and surgery to the Respondent on November 17, 2009.

4. On June 14, 2010, the Board learned that the Respondent had been dismissed from the Philadelphia College of Osteopathic Medicine on June 20, 1979, for a period of time for academic reasons.

5. At the time he submitted his application, the Respondent knew, and had reason to know, that this answer was not correct because he was aware of his dismissal from the Philadelphia College of Osteopathic Medicine.

CONCLUSIONS OF LAW

1. The West Virginia Board of Osteopathy is a board of examination and registration, organized under Chapter 30 of the WEST VIRGINIA CODE, and vested with the authority to license and discipline practitioners of osteopathic medicine and surgery in the State of West Virginia. W. VA. CODE §§ 30-14-1 and 30-14-3.

2. The West Virginia Board of Osteopathy has established rules outlining conduct, practices and acts which may render an individual unfit to practice or subject to disciplinary action by the Board, “Licensing Procedures for Osteopathic Physicians,” 24 CSR 1.

3. The West Virginia Board of Osteopathy may revoke, suspend, or refuse to issue a license, or the Board may reprimand a licensee, establish probation orders, and levy fines not to exceed one thousand dollars, when a licensee of the Board is found to have engaged in conduct, practices, or acts that the Board has defined as unprofessional in its rules. W. VA. CODE §30-1-8(a)

4. By making and presenting a false statement on his application for license, the Respondent has violated the Board’s rule, 24 CSR 1, §24-1-18.1.1.

5. The West Virginia Board of Osteopathy is authorized to enter into consent decrees and probation orders where such instruments may afford reasonable supervision and oversight of

erson, subject to the licensing requirements of the Board, for the benefit of the practice of
athic medicine and protection of the public interest. W. VA. CODE §30-1-8(b).

6. A licensee of the Board may waive his rights to a formal statement of charges and a
before the Board if the licensee understands those rights and chooses to proceed without a
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RESPONDENT'S ACKNOWLEDGMENT OF RIGHTS

I, VINSON M. DISANTO, have read this document and, by signing my name to it, I
and and acknowledge the following:

1. This is a legally binding document that affects my rights and privileges.
2. I have the right to consult a lawyer concerning the terms of this agreement and the legal
nd remedies that may otherwise be available to me.
3. I understand that I have a right to a hearing regarding any charges against me or any
aken against my license. The West Virginia Board of Osteopathy may not suspend, revoke or
y other disciplinary action regarding my license unless one of three conditions occurs:
 - 1) I give my consent to entry of an order restricting, suspending or revoking my license, or
 - 2) the West Virginia Board of Osteopathy conducts a hearing before imposing any restriction,
suspension or revocation, or
 - 3) the Board finds that my continuation in practice constitutes an immediate danger to the
public.
4. I understand that, instead of accepting this agreement, I may demand that the Board of
athy prepare formal charges against me and prove those charges by presenting evidence in a
conducted under law. If I chose to have a hearing, I would not have the burden of proof. I
owever, present evidence in my own behalf and I would have the right to cross-examine any
es who might testify against me. I also understand that, with a hearing, I would have the right
oena witnesses and records in order to compel their production at the hearing.

5. I acknowledge that if I accept this agreement, it is a judgment that I have violated rules of the Board regarding licensure. I also acknowledge and admit that, if I violate any terms and conditions of this order, my violations may constitute an immediate danger to the public and that, for such reasons, the Board may suspend or revoke my license without a prior hearing.

6. I understand that this is a public document and that the Board is legally obligated to allow any person to review this Consent Decree and Order. I also understand that this action and order may be reported to other jurisdictions and to the National Practitioner Data Bank and to the Federation of State Medical Boards.

TERMS OF ORDER

- 1) The Board hereby **REPRIMANDS** VINSON M. DiSANTO, D.O., for presenting a false statement in connection with an application for licensure.
- 2) The Respondent shall pay a fine of \$500.00 to the State of West Virginia for this violation of the rules of the Board and the laws of this State. This fine must be paid within sixty days of the entry of this Order.
- 3) If the Respondent engages in any act inconsistent with this Consent Order or inconsistent with accepted standards of professional conduct, the Board may rescind, terminate, modify or dissolve this Consent Order or, in its discretion, seek revocation of the Licensee's license to practice osteopathic medicine.

ACKNOWLEDGMENT OF LICENSEE:

I have reviewed the provisions of this Consent Order. I hereby waive my right to a hearing and accept the Findings of Fact, Conclusions of Law, and all the provisions included in this Consent Order. I agree to abide by the terms set out herein and to be bound by them.

Signed: Vinson DiSanto

Date: 4/4/11

VINSON M. DISANTO, D.O.

ENTRY

By agreement of the West Virginia Board of Osteopathy, it is so ORDERED and entered this
15 day of April, ~~2010~~²⁰¹¹.

Ernest Miller Jr D.O.

Ernest Miller, Jr., D.O.
President