



COMMONWEALTH of VIRGINIA

*Department of Health Professions
Board of Medicine*

John W. Hasty
Director of the Department

Warren W. Koontz, M.D.
Executive Director of the Board

December 18, 1998

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James B. Hutt, Jr., M.D.
381 Stuyvesant Street, Suite 2
Warrenton, Virginia 20186

CERTIFIED MAIL
P 325 908 491

RE: License No.: 0101-011731

Dear Dr. Hutt:

This letter is official notification of the decision of the Informal Conference Committee ("Committee") of the Virginia Board of Medicine ("Board"), which met with you and with Robert M. Hutt, M.D., on December 16, 1998, in Fredericksburg, Virginia, to inquire into allegations that you and Dr. Robert Hutt may have violated certain laws governing the practice of medicine in Virginia, as set forth in the notices of the Board dated October 6, 1998.

Based on the information and statements presented, the Committee made the following findings of fact:

1. From approximately October 1997 through December 1997, you and Dr. Robert Hutt caused to be published in Discover Manassas' Values, a publication of general circulation in the Manassas area, an advertisement for your practice, Alternative Medicine, in Warrenton, Virginia, which contained the statements, "Why You Don't Need A Bypass—Ever!"; "Improve (or never get!) Hardening of the arteries or angina with Chelation Therapy"; and "Avoid first-time or repeat Bypass, Angioplasties and other invasive procedures."

2. The language of the advertisement contained no qualifying statements that there are exceptions to the claims made.

3. Dr. Robert Hutt stated that when patients come to his office, he utilizes screening techniques such as appropriate consultations, lab tests, EKG's and others to determine whether chelation therapy is appropriate treatment.

4. Dr. Robert Hutt stated that the advertisement was withdrawn because it did not generate business, but that he saw no reason why he may not run a similar advertisement in the future.


Based on the foregoing findings of fact, the Committee concluded that you are in violation of Section 54.1-2403, Section 54.1-2915.A(3), as further defined in Section 54.1-2914.A(12) and (13), and Section 18 VAC 85-20-30(E) [formerly Section 18 VAC 85-20-60(B)] of the Virginia Board of Medicine Regulations.

Based on the foregoing findings of fact and conclusions of law, and in view of the information presented that you and Dr. Robert Hutt screen patients to determine the appropriateness of your care, the Committee voted unanimously to impose no sanction on your license to practice medicine in Virginia.

You may, not later than 5:00 p.m., on February 3, 1999, notify Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, Richmond, Virginia 23230, in writing, that you desire a hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this decision of the Committee shall be vacated.

Should you have any questions regarding the Committee's decision, you may refer them to Karen Perrine, Deputy Executive Director, Discipline, at (804) 662-7693.

Sincerely,


Warren W. Koontz, M.D.
Executive Director
Virginia Board of Medicine

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cc: Clarke Russ, M.D., President, Board of Medicine
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