BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re: )
) CONSENT ORDER
) )
David Glenn Weismiller, M.D., )
) )
Respondent. )

This matter is before the North Carolina Medical Board ("Board") regarding information provided to the Board concerning David Glenn Weismiller, M.D., ("Dr. Weismiller") Dr. Weismiller makes the following admissions and the Board makes the following findings and conclusions:

STATUTORY AUTHORITY

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 and the rules and regulations promulgated thereto.

FINDINGS OF FACT

Dr. Weismiller was first issued a license to practice medicine and surgery by the Board on or about May 25, 1996, license number 9600771.

At all times relevant hereto, Dr. Weismiller practiced family medicine in Greenville, North Carolina.
In September 2015, Dr. Weismiller was charged with five felony counts of Obtaining Property by False Pretenses. Those charges arose from Dr. Weismiller's dual roles at East Carolina University Brody School of Medicine ("ECU").

From 2007 to 2013, Dr. Weismiller was employed at ECU as a physician and faculty member and as the Associate Provost in the Office of the Provost. Dr. Weismiller also taught classes for the American Academy of Family Physicians ("AAFP") during this time period.

When Dr. Weismiller was teaching for the AAFP, he submitted leave forms to the School of Medicine which related to his clinical position; however, he failed to submit forms for leave from his administrative position.

When the errors and omissions in his leave reports with respect to his administrative position were brought to his attention, Dr. Weismiller agreed to repay the salary he had earned from ECU on the days that he failed to take leave.

At the same time, in 2013, Dr. Weismiller resigned his administrative position but maintained his faculty position as a professor and physician. ECU took no disciplinary action against him.

Though ECU took no action against Dr. Weismiller in 2013, it did report, as required by N.C. Gen. Stat. § 143B-920, the
possible misuse of State property by an employee to the State Bureau of Investigation ("SBI").

On November 4, 2015, Dr. Weismiller pled guilty to two misdemeanor charges of Common Law Forgery. At the time of the plea, the State dismissed all five felony charges. As a result of the two misdemeanor convictions, Dr. Weismiller was sentenced to forty-five (45) days of incarceration, which was suspended, and he was placed on supervised probation for twenty-four (24) months with the condition that he perform seventy-two (72) hours of community service to be completed during the first one hundred (100) days of probation. Dr. Weismiller was also required to pay restitution in the amount of $43,374.31 and to submit a letter of resignation to ECU for his position as professor of family medicine effective December 31, 2015. His probation was changed to unsupervised probation on January 14, 2016 upon his full compliance with the extra conditions of probation specified directly above.

CONCLUSIONS OF LAW

Dr. Weismiller acknowledges that his conduct, as described above, constitutes unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6).

PROCEDURAL STIPULATIONS

Dr. Weismiller acknowledges and agrees that the Board has jurisdiction over him and over the subject matter of this case.
Dr. Weismiller knowingly waives his right to any hearing and to any judicial review or appeal in this case.

Dr. Weismiller acknowledges that he has read and understands this Consent Order and enters into it voluntarily.

Dr. Weismiller desires to resolve this matter without the need for more formal proceedings.

The Board has determined that it is in the public interest to resolve this case as set forth below.

**ORDER**

NOW, THEREFORE, with Dr. Weismiller’s consent, it is ORDERED that:

1. Dr. Weismiller is hereby REPRIMANDED.

2. Dr. Weismiller shall obey all laws. Likewise, he shall obey all rules and regulations involving the practice of medicine.

3. Dr. Weismiller shall notify the Board in writing of any change in his residence or practice addresses within ten (10) days of the change.

4. Dr. Weismiller shall meet with the Board or members of the Board for an investigative interview at such times as requested by the Board.

5. If Dr. Weismiller fails to comply with any of the terms of this Consent Order, that failure shall constitute unprofessional conduct within the meaning of N.C. Gen. Stat. §
90-14(a)(6) and shall be grounds, after any required notice and hearing, for the Board to annul, suspend or revoke his North Carolina license to practice medicine and surgery and to deny any application he might make in the future or then have pending for a license.

6. This Consent Order shall take effect immediately upon its execution by both Dr. Weismiller and the Board and it shall continue in effect until specifically ordered otherwise by the Board.

7. Dr. Weismiller hereby waives any requirement under any law or rule that this Consent Order be served on him.

8. Upon execution by Dr. Weismiller and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be reported to persons, entities, agencies and clearinghouses as required and
permitted by law including, but not limited to, the Federation of State Medical Boards and the National Practitioner Data Bank.

By Order of the North Carolina Medical Board this the 11th day of May, 2016.

NORTH CAROLINA MEDICAL BOARD

By: __________________________
    Pascal O. Udekwu, M.D.
    President

Consented to this the 11th day of May, 2016.

[Signature]
David Glenn Weismiller, M.D.

State of North Carolina

County of Pitt

I, Michelle R. Aynes, a Notary Public for the above named County and State, do hereby certify that David Glenn Weismiller, M.D. personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal

This the 11th day of May, 2016.

[Signature]
Michelle R. Aynes
Notary Public

(SEAL)

My Commission Expires: 2/3/2020