

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

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|---------------------------|---|-------------------|
| In re: |) | |
| |) | |
| Werner Scott Haddon, M.D. |) | NOTICE OF CHARGES |
| |) | AND ALLEGATIONS; |
| |) | NOTICE OF HEARING |
| Respondent. |) | |

The North Carolina Medical Board ("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. Werner Scott Haddon, M.D. ("Dr. Haddon") is a physician licensed by the Board on or about June 6, 1992, license number 35356.

3. Dr. Haddon is primarily engaged in the practice of general surgery and emergency medicine.

FIRST CLAIM

4. Dr. Haddon also has a license to practice medicine issued by the South Carolina Board of Medical Examiners ("South Carolina Board")

5. The South Carolina Board entered into a Memorandum of Agreement and Stipulations with Dr. Haddon on December 19, 2005.

6. In the Memorandum of Agreement and Stipulations, Dr. Haddon admitted that: (1) following his divorce, he and his ex-wife "engaged in a lengthy and heated legal dispute over the custody of their son"; (2) on or about June 12 and 13, 2004, Dr. Haddon made certain non-specific threatening statements in recorded telephone conversations; (3) on or about June 15, 2004, Dr. Haddon's ex-wife filed a complaint; (4) South Carolina law enforcement authorities conducted a threat assessment of Dr. Haddon and concluded that there was a high risk that Dr. Haddon would engage in violent or dangerous behavior; (5) Dr. Haddon was arrested on July 5, 2004 on a charge of stalking and was incarcerated until August 13, 2004; (6) on or about October 25, 2004 the South Carolina Board issued an order requiring Dr. Haddon to be evaluated; (7) Dr. Haddon reported to Bradford Health Services on November 8, 2004; (8) Dr. Haddon's Professional Assessment Summary stated in pertinent part that Dr. Haddon "does not appear to appreciate the seriousness of his behavior and he lacks insight into his own motivations"; (9) the Professional Assessment Summary recommended that Dr. Haddon undergo further treatment.

7. On February 2, 2006, the South Carolina Board entered a Final Order in the disciplinary matter regarding Dr. Haddon.

8. The South Carolina Board found that the admitted facts contained in the Memorandum of Agreement and Stipulations presented grounds constituting misconduct.

9. In the Final Order, the South Carolina Board concluded that Dr. Haddon violated the Principles of Medical Ethics "in that he failed to respect the law as evidenced by his threatening phone calls and his arrest for stalking."

10. As a result of its findings and conclusions, the South Carolina Board publicly reprimanded Dr. Haddon and ordered that he undergo an evaluation at the Behavioral Medicine Institute of Atlanta ("BMI") within ninety days of the Final Order and participate in any recommended further treatment required by the evaluators at BMI.

11. Dr. Haddon agreed that the South Carolina Final Order constituted his having a license to practice medicine restricted or acted against by the licensing authority of another jurisdiction within the meaning of N.C. Gen. Stat. § 90-14(a)(13), and grounds existed under that section of the North Carolina General Statutes for the Board to "deny, annul, suspend, or revoke a license, or other authority to practice medicine in this State" or to deny any application he might in the future make for a license to practice medicine.

12. In November 2006, Dr. Haddon underwent an assessment by the North Carolina Physicians Health Program ("NCPHP") after which NCPHP recommended that Dr. Haddon undergo outpatient therapy.

13. As a result of the actions taken by the South Carolina Board, Dr. Haddon entered into a Consent Order with this Board on February 21, 2007.

14. In the Consent Order, Dr. Haddon was reprimanded for the conduct described above.

15. In addition, Dr. Haddon agreed to maintain a contract with NCPHP for a period of one year and to abide by its terms and to follow and abide by all recommendations made by NCPHP.

16. Dr. Haddon further agreed that failure on his part to comply with any of the terms of the February 2007 Consent Order would constitute unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and would be grounds, after any required notice and hearing, for the Board to "deny, annul, suspend, or revoke a license, or other authority to practice medicine in this State" or to deny any application he might in the future make for a license to practice medicine.

17. Dr. Haddon's entered into a one-year contract with NCPHP in February 2007.

18. In December 2007, the Board was notified by NCPHP that Dr. Haddon had not attended scheduled sessions with his therapist

as recommended by NCPHP. In addition, Dr. Haddon failed to return phone calls or letters of inquiry from his therapist, NCPHP, and the Board's investigator.

19. Dr. Haddon's failure to comply with the terms of the February 2007 Consent Order he entered into with this Board constitutes 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, irrespective of whether or not a patient is injured thereby, or the committing of any act contrary to honesty, justice, or good morals within the meaning of N.C. Gen. Stat. § 90-14(a)(6), which is grounds for the Board to annul, suspend, revoke, condition, or limit Dr. Haddon's license to practice medicine and surgery issued by this Board.

SECOND CLAIM

20. Upon information and belief, Dr. Haddon was arrested on May 21, 2008. It is anticipated that Dr. Haddon will be charged by law enforcement officials with multiple counts of assault and battery with intent to kill and one count each of kidnapping and burglary.

21. Upon information and belief, Dr. Haddon's arrest came after Dr. Haddon kidnapped his son who was in the custody of his grandmother. The boy's grandmother alerted law enforcement authorities who responded to the scene. On several occasions, Dr.

Haddon fired gunshots at local police officers. The police officers were able to safely free the boy from Dr. Haddon's control.

22. Upon information and belief, after the boy escaped, Dr. Haddon again fired gunshots at law enforcement officers and the law enforcement officers returned fire and shot Dr. Haddon. Dr. Haddon is currently in the hospital after suffering multiple gunshot wounds.

23. Dr. Haddon's conduct, as described above, constitutes 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, irrespective of whether or not a patient is injured thereby, or the committing of any act contrary to honesty, justice, or good morals within the meaning of N.C. Gen. Stat. § 90-14(a)(6), which is grounds for the Board to annul, suspend, revoke, condition, or limit Dr. Haddon's license to practice medicine and surgery issued by this Board.

NOTICE TO DR. HADDON

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, or a panel thereof, at 8:00 a.m., Wednesday, October 22, 2008, or as soon thereafter as the Board may hear it, at the offices of the Board at 1203 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.

Pursuant to N.C. Gen. Stat. § 150B-40(c)(5), it is further ordered that the parties shall arrange a pre-hearing conference at which they shall prepare and sign a stipulation on pre-hearing conference. The pre-hearing 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 23rd day of May, 2008.

NORTH CAROLINA MEDICAL BOARD

By: Janelle A Rhyne MD, FACP
Janelle A. Rhyne, M.D.
President