

STATE OF NORTH CAROLINA

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
09-BME-5109

COUNTY OF WAKE

N. C. MEDICAL BOARD,  
Petitioner,

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)

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vs.

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RASHID ALI BUTTAR, D.O.,  
Respondent.

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CONSENT ORDER

This matter is before the North Carolina Medical Board (hereafter "Board") on two (2) Notices of Charges and Allegations regarding Rashid Ali Buttar, D.O., (hereafter "Dr. Buttar"), dated November 21, 2007 and September 9, 2009. Dr. Buttar admits, and the Board finds and concludes, that:

Whereas, 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

Whereas, Dr. Buttar is a physician licensed by the Board on or about May 20, 1995, to practice medicine and surgery, license number 95-00528, and

Whereas, during the times relevant herein, Dr. Buttar practiced medicine in Mecklenburg County, North Carolina, and

Whereas, Patient E is a minor child with autism who resides in Michigan, and

Whereas, Patient E's parents voluntarily sought treatment from Dr. Buttar for metal toxicity relative to their child's autism, and

Whereas, in late 2006, Patient E's mother contacted Dr. Buttar's office by telephone to inquire about Dr. Buttar treating her child and spoke with Dr. Buttar's nurse practitioner, and

Whereas, without personally examining Patient E, Dr. Buttar's office mailed lab testing materials and instructions on how Patient E's parents could obtain serum, urine, fecal, hair and red blood cell samples from their child and send them to various medical laboratories for testing; the results of the lab testing were then sent to Dr. Buttar's office, and

Whereas, Dr. Buttar's office then mailed a quantity of transdermal DMPS, that Dr. Buttar himself developed, to Patient E's parents, and

Whereas, the medication was accompanied with detailed instructions and dosing on how the parents should administer it to their child, and

Whereas, Patient E's parents began administering the transdermal DMPS to their child; and where at no point up to this time did Dr. Buttar or his staff ever personally examine Patient E, and

Whereas, Dr. Buttar's treatment of Patient E without first conducting a personal examination of Patient E as described above constitutes a violation of N.C. Gen. Stat. § 90-14(a)(6), and

grounds exist under that section of the North Carolina General Statutes for the Board to discipline Dr. Buttar, and

Whereas, the Board does not possess direct evidence that Patient E suffered any adverse health effects by the administration of transdermal DMPS, and

Whereas, Dr. Buttar treated Patients A through D after they presented to Dr. Buttar with stage IV cancer, and

Whereas, Dr. Buttar treated Patients A through D with various modalities including intravenous administration of glutathione, vitamin C, hydrogen peroxide, chelation therapy, ozone therapy, hyperbaric oxygen treatment, dietary changes, Autologous Antigen Receptor Specific Oncogenic Target Acquisition, Philbert Intra Respiratory Reflex Procedure, nutritional supplementation and coffee enemas, among others, and

Whereas, Dr. Buttar reports that his treatments for Patients A through D were intended for the purpose of detoxifying the patients and improving their immune systems, and

Whereas, Patients F, G and H presented to Dr. Buttar with symptoms of fatigue and memory loss possibly attributable to mercury exposure, and

Whereas, Dr. Buttar treated these three patients with chelation therapy for a previous diagnosis of mercury toxicity made

by previous providers, a diagnosis which Dr. Buttar re-confirmed,  
and

Whereas, Dr. Buttar practices integrative medicine, and

Whereas, N.C. Gen. Stat. §90-1.1(3) defines integrative medicine as a "diagnostic or therapeutic treatment that may not be considered a conventionally accepted medical treatment and that a licensed physician in the physician's professional opinion believes may be of potential benefit to the patient, so long as the treatment poses no greater risk of harm to the patient than the comparable conventional treatments.", and

Whereas, the Board is concerned that Dr. Buttar's treatment modalities have not been proven effective by randomized, double-blind, placebo-controlled studies, and

Whereas, the Board is concerned that patients who present to Dr. Buttar may have undue expectations regarding the efficacy of Dr. Buttar's treatments, and

Whereas, the Board is concerned that Dr. Buttar provides for sale in his office certain supplements and materials to his patients, including substances that Dr. Buttar, himself, manufactures and/or compounds, and

Whereas, the Board makes no findings or conclusions regarding the benefit or safety of Dr. Buttar's treatment modalities, and

Whereas, the Board believes that it is in the public interest that Dr. Buttar provide patients with detailed informed consent to treatment forms that addresses the concerns detailed above, and

Whereas, this Consent Order shall resolve all pending complaints relative to Dr. Buttar whether or not said complaints are the subject of the Notices of Charges referenced above, and

Whereas, the Board has determined that it is in the public interest to resolve this case as set forth below;

Now, therefore, with Dr. Buttar's consent, it is ORDERED that:

1. Dr. Buttar is hereby REPRIMANDED.
2. Dr. Buttar shall provide an informed consent to treatment form to all patients that includes, but is not limited to, the language in the Informed Consent to Treatment and Therapies form that is attached to this Consent Order as Attachment A, and such informed consent to treatment form is hereby approved by the Board President.
3. Dr. Buttar shall obey all laws. Likewise, he shall obey all rules and regulations involving the practice of medicine.
4. Dr. Buttar shall notify the Board in writing of any change in his residence or practice addresses within ten (10) days of the change.
5. Dr. Buttar shall meet with the Board or members of the

Board for an informal interview at such reasonable times and for reasonable cause, as requested by the Board, with all informal interviews to be recorded by the Board in the manner in which the Board records such interviews.

6. If Dr. Buttar fails to comply with any of the terms of this Consent Order, any such alleged noncompliance shall, after any required notice and hearing, be grounds for the Board to take disciplinary action.

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

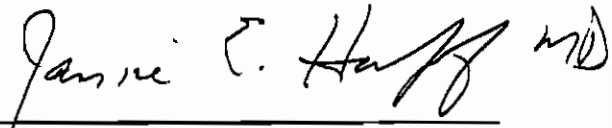
8. Dr. Buttar hereby waives any requirement under law or rule that this Consent Order be served on him.

9. Upon execution by Dr. Buttar 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 by and permitted by law including, but not limited to, the Federation of State Medical Boards, the National Practitioner's Data Bank, and the Healthcare Integrity and Protection Data Bank.

This the 26th day of March, 2010.

NORTH CAROLINA MEDICAL BOARD

By:



Janice E. Huff, M.D.

President-Elect

Consented to this the 26th day of February, 2010.


  
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Rashid Ali Buttar, D.O.

State of NC  
County of Mecklenburg

I, Kathleen G. Fain, a Notary Public for the above named County and State, do hereby certify that Rashid Ali Buttar, D.O., personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

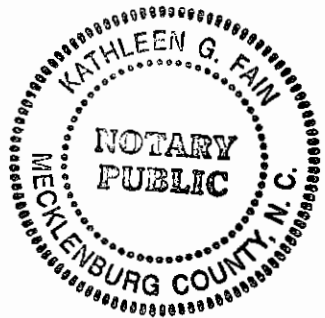
Witness my hand and official seal

This the 26th day of February, 2010.

  
\_\_\_\_\_  
Notary Public

(SEAL)

My Commission expires: 5-14-10





Informed Consent to Treatment and Therapies

I, \_\_\_\_\_ patient name (written by patient) \_\_\_\_\_, understand and have been advised that Rashid Ali Buttar, D.O. practices integrative medicine. Integrative medicine is defined by N.C. Gen. Stat. §90-1.1(3) as: a diagnostic or therapeutic treatment that may not be considered a conventionally accepted medical treatment and that a licensed physician in the physician's professional opinion believes may be of potential benefit to the patient, so long as the treatment poses no greater risk of harm to the patient than the comparable conventional treatments.

Initials: \_\_\_\_\_.

I have been diagnosed with \_\_\_\_\_ diagnosis (written by patient) \_\_\_\_\_.  
***I understand and have been advised that the treatments and therapies that are to be provided by Dr. Buttar have not been proven effective by traditional research studies or conventional clinical trials and may not have been approved by the FDA for my diagnosis. Dr. Buttar makes no specific claims or representations that the treatments and therapies that he will be providing will be effective or cure the condition or diagnosis that I have.*** I have been encouraged to consult with my primary care physician or the specialist who is primarily treating the above designated diagnosis prior to receiving treatment from Dr. Buttar.

Initials: \_\_\_\_\_.

I, further understand and have been advised that Dr. Buttar's clinic sells health care practice related items from his office. There is a potential, inherent conflict of interest when a physician sells health care practice related items from his office. Sale of practice-related items such as supplements, vitamins, minerals and medications may be acceptable only after the patient has been told those or similar items can be obtained locally from other sources. I am fully aware that as with any product or commodity, the quality, purity, efficacy, concentration, source and numerous other variables will determine the ultimate price. I also recognize that I have the option to pursue my health care needs at any doctor's office I so choose.

Initials: \_\_\_\_\_.

I, additionally understand and have been advised that Dr. Buttar utilizes the services of a nurse practitioner in his practice. Nurse practitioners may perform medical acts, tasks and functions under the supervision of a licensed physician. This means that physical examinations and diagnosis can be made by a nurse practitioner qualified to make such examinations and diagnosis while acting under the supervision of a licensed physician. Treatments may also be administered by a nurse practitioner working under the supervision of a licensed physician. I understand and have been advised that office

visits may be conducted and treatments may be administered by Dr. Buttar's nurse practitioner.

Initials: \_\_\_\_\_.

I also understand and have been advised regarding possible adverse effects of all treatments and therapies that Dr. Buttar will be providing me, including intravenous (IV) treatments. The possible adverse effects of the treatments that I may receive from Dr. Buttar include, but are not limited to, infection, phlebitis, headaches, dizziness, hypoglycemia, electrolyte imbalance, mineral depletion, fatigue, kidney failure, or even death.

Initials: \_\_\_\_\_.