

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:)
)
Ira David Uretzky, MD,) CONSENT ORDER
)
Respondent.)

This matter is before the North Carolina Medical Board (hereinafter Board) on the Notice of Charges and Allegations dated April 13, 2005, against Ira David Uretzky, M.D. (hereinafter Dr. Uretzky). Dr. Uretzky 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 the Board issued Dr. Uretzky a license to practice medicine and surgery on May 22, 1999, license number 9900706, pursuant to which he has been practicing medicine in Raleigh, North Carolina, and

Whereas in November 2004, Dr. Uretzky became the Medical Director for Premier Body Laser and Skin Clinics (hereinafter Premier), which offered laser hair removal, and

Whereas Premier gave or sold to its laser hair removal clients a product known as LaserGel Plus 10/10 (hereafter LaserGel), a cream compounded by Triangle Compounding Pharmacy, consisting of active ingredients lidocaine 10%, tetracaine 10%, and phenylephrine 0.5%, for use as an anesthetic, and

Whereas federal law prohibits the dispensing of LaserGel without a prescription, and

Whereas Premier had an arrangement with Triangle Compounding Pharmacy that Triangle Compounding Pharmacy would supply Premier with a quantity of tubes of LaserGel, and

Whereas shortly after becoming Medical Director of Premier, Dr. Uretzky contacted Triangle Compounding Pharmacy by electronic mail, introducing himself as the new Medical Director and purporting to authorize Triangle Compounding Pharmacy to continue supplying Premier with a quantity of tubes of LaserGel, and

Whereas during his time as Medical Director of Premier, Triangle Compounding Pharmacy supplied Premier with 142 tubes of LaserGel, and

Whereas no physician or other authorized prescriber, including Dr. Uretzky, took a medical history or performed a physical examination on any of Premier's clients before

Premier sold or gave the client a tube or tubes of LaserGel, and

Whereas during the time that Dr. Uretzky served as Medical Director of Premier Clinics, he failed to take steps to ensure that the staff of Premier, for whom he served as the Medical Director, safely administered LaserGel, properly dispensed LaserGel, and appropriately instructed patients on the safe use and application of LaserGel, and

Whereas Dr. Uretzky's conduct described above constitutes unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6), which is grounds for the Board to annul, suspend, or revoke his license or to deny any application he might make in the future or then have pending for a license, and

Whereas Dr. Uretzky had originally agreed to take over as Medical Director of Premier in January 2005 but was pressed into service early upon the unanticipated departure of his predecessor Medical Director of Premier, and

Whereas Dr. Uretzky intended to review all Premier's policies, protocols, procedures, and forms, but having begun as Medical Director six weeks before he intended, he did not have the opportunity to do so before he began, and

Whereas Dr. Uretzky was relying on his predecessor Medical Director to have ensured Premier was operating in accord with good medical practices and with the laws concerning medical practice, and

Whereas Dr. Uretzky's electronic mail to Triangle Compounding Pharmacy was in keeping with his predecessor Medical Director's arrangements, and

Whereas in his first days as Medical Director, Dr. Uretzky asked personnel at Premier whether there had been any issues with Premier, particularly regarding safety for clients, of which he should be aware and whether they had any concerns or questions of him before he took over, and he was told that there had not been issues of safety for clients and that they had no concerns or questions for him, and

Whereas as he was taking over as Medical Director, Dr. Uretzky made several attempts to have a face-to-face meeting with the predecessor Medical Director, including calling the predecessor Medical Director three or four times and sending an electronic mail message, but the two of them never met, and

Whereas Dr. Uretzky had begun to review Premier's policies, protocols, procedures, and forms before he

learned any client of Premier's had had any problems whatsoever, and

Whereas when Dr. Uretzky first learned of a potential problem with LaserGel, he directed a number of changes in Premier's operations and, by the end of December 2004, directed that Premier not use any anesthetic at all, and

Whereas Dr. Uretzky cooperated fully with the Board in its investigation of this matter, and

Whereas Dr. Uretzky would like to resolve this matter without the need for more formal proceedings, 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. Uretzky's consent, it is ORDERED that:

1. Dr. Uretzky's license to practice medicine and surgery in North Carolina is hereby INDEFINITELY SUSPENDED beginning October 1, 2005.

2. This suspension of Dr. Uretzky's license is hereby STAYED AFTER March 31, 2006.

3. The Notice of Charges and Allegations issued against Dr. Uretzky on the April 13, 2005, are hereby DISMISSED.

4. Dr. Uretzky shall not serve as medical director of any enterprise that provides laser hair removal services.

5. Dr. Uretzky shall obey all laws. Likewise, he shall obey all rules or regulations involving the practice of medicine.

6. Dr. Uretzky shall notify the Board in writing of any change in his residence or practice address within ten (10) days of the change.

7. If Dr. Uretzky 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 license to practice medicine and surgery and to deny any application he might make in the future or then have pending for a license.

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

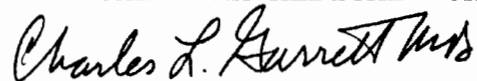
9. Upon execution by Dr. Uretzky and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General

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.

10. No provision of this Consent Order shall constitute an admission for any purpose other than for this and any other proceeding before the North Carolina Medical Board and shall not be admissible in or be made a part of any proceeding outside the North Carolina Medical Board.

This the 8th day of September, 2005.

NORTH CAROLINA MEDICAL BOARD



By: _____

Charles L. Garrett, Jr., MD
President

Consented to this the 6TH day of SEPTEMBER, 2005.




Ira David Uretzky, M.D.

State of North Carolina

County of Durham

I, James A. Wilson, a Notary Public for the above named County and State, do hereby certify that Ira David Uretzky, 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 6th day of September, 2005.



Notary Public

(SEAL)

My Commission expires: September 3, 2007

JAMES A. WILSON
NOTARY PUBLIC
DURHAM COUNTY, NC
My Commission Expires: September 3, 2007