

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF MEDICINE**

**IN RE:**

**CANDACE S. THURSTON, M.D.  
License No.: MD12457**

**Respondent**

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**CONSENT ORDER**

This matter comes before the District of Columbia Board of Medicine (the “Board” or “D.C. Board”) pursuant to the Health Occupations Revision Act (HORA). D.C. Official Code § 3-1201.01, *et seq.* (2009). The HORA authorizes the Board to regulate the practice of medicine in the District of Columbia and, in doing so, the Board has broad jurisdiction to impose a variety of disciplinary sanctions upon a finding of a violation of the HORA. D.C. Official Code, § 3-1201.03; *Mannan v. District of Columbia Board of Medicine*, 558 A.2d 329, 333 (D.C.1989). The Council of the District of Columbia, in amending the HORA, “intended to strengthen enforcement of its licensing laws.” *Davidson v. District of Columbia Board of Medicine*, 562 A.2d 109, 113 (D.C.1989). And the HORA “was designed to ‘address modern advances and community needs with the paramount consideration of protecting the public interest.’” *Joseph v. District of Columbia Board of Medicine*, 587 A.2d 1085, 1088 (D.C.1991) (*quoting* Report of the D.C. Council on Consumer and Regulatory Affairs on Bill 6-317, at 7 (November 26, 1985)) (emphasis added by court).

**Background**

Respondent has been licensed to practice medicine in the District of Columbia since August 13, 1990. Respondent is also licensed in Virginia. In a consent order dated March 30,

2015, the Virginia Board of Medicine (Virginia Board) reprimanded Respondent. In both the District of Columbia and Virginia, Respondent has had no other history of discipline.

According to the Virginia Board, Respondent performed a total vaginal hysterectomy on a patient without performing or documenting an adequate preoperative examination or evaluation. Further, according to the Virginia Board, prior to operating on the patient, Respondent failed to adequately inform and discuss with the patient (or to document informing/discussing with the patient) the proposed surgical procedure, including the risks and benefits of the procedure. Therefore, the Virginia Board concluded, that Respondent did not obtain the patient's informed consent to the procedure.

During the surgery, Respondent faced significant intra-operative complications, and the Virginia Board found that Respondent failed to alter her surgical approach. The Virginia Board further found that Respondent failed to remove all of the patient's uterus and incorrectly documented in the operative report that she (Respondent) had removed all of the patient's uterus. Finally, the Virginia Board concluded that Respondent failed to properly evaluate, treat, and follow up with the patient post-operatively (or document doing so), including having failed to see or examine the patient or to recognize and appropriately respond to signs and symptoms of post-surgical complications.

The details Respondent's care and treatment of the patient with regard to the hysterectomy are detailed in the Virginia Board's consent order of March 30, 2015. This Board accepts the facts and legal conclusions of the Virginia Board's consent order.

On September 30, 2015, this Board considered the Virginia consent order and its terms. This Board determined that the Virginia consent order warranted reciprocal action with respect

to Respondent's District of Columbia medical license. Accordingly, the D.C. Board voted to issue the instant Consent Order to Respondent.

### **Conclusions of Law**

The D.C. Board is authorized, pursuant to D.C. Official Code § 3-1205.14(a)(3), to take reciprocal action when a Respondent has been disciplined by a licensing authority of another jurisdiction for conduct that would be grounds for Board action. In pertinent part, D.C. Official Code § 3-1205.14(a)(3) states:

Each board, subject to the right of a hearing as provided by this subchapter, on an affirmative vote of a quorum of its appointed members may take one or more of the disciplinary actions...against any person permitted by this subchapter to practice a health occupation regulated by the board in the District who is disciplined by a licensing or disciplinary authority...of any jurisdiction for conduct that would be grounds for disciplinary action under this section. (emphasis added)

Also, under the HORA, a physician licensed in the District must conform to standards of acceptable conduct and prevailing practice within a health profession, or be subject to disciplinary action. *See* D.C. Official Code §§ 3-1205.14(a)(26). Respondent's conduct in Virginia during the course of her treatment of the aforementioned patient did not conform to the standards of acceptable conduct in the practice of medicine and would be a violation of D.C. Official Code §3-1205.14(a)(26), had that conduct occurred in the District of Columbia.

Accordingly, Respondent's conduct has provided the D.C. Board with a basis in law and fact to take reciprocal action against Respondent under the authority of D.C. Official Code § 3-1205.14(a)(3).

### **ORDER**

Based upon the foregoing, it is this by the District of Columbia Board of Medicine hereby,

**ORDERED**, that Respondent is hereby **REPRIMANDED** for her conduct during the course of a patient that gave rise to a consent order issued by the Virginia Board of Medicine; and it is further

**ORDERED**, that Respondent shall comply with all laws, rules, and regulations of the District of Columbia, while within its jurisdiction; and it is further

**ORDERED**, that if Respondent fails to satisfactorily fulfill the terms of this Consent Order the D.C. Board may issue a notice of intent to take formal disciplinary action against Respondent's license; and it is further

**ORDERED**, that this is a public document.

DISTRICT OF COLUMBIA BOARD OF MEDICINE

11.25.15  
Date

Janis M. Orlowski  
By: Janis M. Orlowski, M.D., M.A.C.P.  
Chairperson

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• I acknowledge that in the event that the Board suspends my license based on the failure to satisfactorily fulfill the terms of the Consent Order, my sole remedy and recourse will be to respond within the time period set forth in this Consent Order with proof of my compliance and that if I fail to do so, my sole remedy and recourse will be to comply with the terms of this Consent Order to the satisfaction of the Board. CT (initial)

• I have had an opportunity to review this document and to consult with my own legal counsel. I choose willingly to sign this Consent Order, and I understand its meaning and effect. CT (initial)

11-16-2015  
Date

Candace S. Thurston  
Candace S. Thurston, M.D.  
License No. MD12457

Sworn to and subscribed before me this 16<sup>th</sup> day of November, 2015.



Sunil Kumar Christopher  
Notary Public (SEAL)  
My Commission Expires:

**This Consent Order shall be deemed a public document and shall be distributed as appropriate.**

### CONSENT OF RESPONDENT

- My signature on the foregoing Consent Order signifies my acceptance of the terms and conditions of the Consent Order and my agreement to be bound by its provisions. CT  
(initial)
- I acknowledge the validity of this Consent Order, as if made after a hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my behalf, and to all other substantive and procedural due process protections provided by the laws of the District of Columbia and the United States of America. CT (initial)
- I also recognize that I am waiving my right to appeal any adverse ruling of the Board had this matter gone to a hearing. CT (initial)
- I expressly acknowledge that by signing this Consent Order, I am voluntarily waiving my right to require the Board to charge me through a notice of intent to take disciplinary action with a violation of this agreement and to require the government to prove such violation by a preponderance of the evidence before suspending my license based upon the failure to satisfactorily fulfill the terms of the Consent Order. CT (initial)
- I also expressly acknowledge by signing this Consent Order, I am waiving my right to confront witnesses, give testimony, to call witnesses on my behalf, and to other substantive and procedural due process protections provided by the laws of the District of Columbia and the United States of America. CT (initial)
- I further expressly acknowledge that by signing this Consent Order, I am waiving my right to appeal this Consent Order, as well as waiving any and all rights, whatsoever, I would have to challenge or appeal that Board's decision to suspend my license based on the failure to satisfactorily fulfill the terms of the Consent Order. CT (initial)