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N.C. MEDICAL BOARD

BEFORE THE  
NORTH CAROLINA MEDICAL BOARD

In re: )  
)  
Keith Emery Johnson, M.D. ) AMENDED VERIFIED ANSWER  
)  
Respondent. )

COMES NOW Respondent, Keith Emery Johnson, M.D., (hereinafter "Dr. Johnson") and answers the North Carolina Medical Board's Amended Notice of Charges and Allegations; Notice of Hearing, as follows:

FIRST DEFENSE

1. Admitted.
2. Admitted.
3. Dr. Johnson practices alternative and/or integrative medicine in Southern Pines, North Carolina. The remaining allegations in no. 3. are denied.
4. Admitted.
5. It is admitted that in or about February and March of 2002 Dr. Johnson conferred with Dr. Craig Farmer, a psychologist, to discuss Dr. Johnson's ongoing experimentation with Electro-Scaler energy resonant technology. Dr. Johnson sought an invitation to present the technology and interim research results to a group with whom Dr. Farmer was familiar.

The Electro-Scaler energy resonant technology works in part by attaching a photograph to the device. The interim research

results indicate that the technology may not be effective in regards to colon cancer. The remaining allegations in Paragraph 5 are denied.

6. Dr. Johnson is without knowledge of a telephone conversation between Mr. Bengie M. Hair in or about the summer of 2000. The remainder of the allegations in Paragraph 6 are denied.

7. Dr. Johnson is without first-hand knowledge of Mr. Hair's recollections and beliefs; the remainder of the allegations are denied. More specifically, Dr. Johnson was not experimenting with Electro-Scaler energy resonant technology in or about the summer of 2000 and had no reason to contact Mr. Hair.

8. It is specifically denied that Dr. Johnson asserted that Electro-Scaler energy resonant technology could "cure" subjects; the remainder of the allegation in paragraph 8 are denied.

9. Paragraph No. 9 states conclusions of law, such conclusions are without factual or legal basis and are therefore denied.

**SECOND DEFENSE**

**(Failure to State Conduct For Which Adverse Action is Available)**

The North Carolina Medical Board, in its Amended Notice of Charges and Allegations and Notice of Hearing, has failed to state conduct for which suspension, revocation or any other adverse action against Dr. Johnson's license to practice

medicine is available pursuant to N.C. General Statutes Chapter 90.

**THIRD DEFENSE**  
**(Vagueness and Overbreadth)**

The allegations against Dr. Johnson are vague and overbroad in and of themselves and as applied to Dr. Johnson. There are no other laws or regulations that prohibit Dr. Johnson's conduct that are the basis of North Carolina Medical Board's Amended Notice of Charges and Allegations.

Neither Dr. Johnson nor any reasonable physician can know what aspects of the alleged conduct constitute unprofessional or prohibited solicitation of confidential information.

**FOURTH DEFENSE**  
**(N.C. Gen. Stat. Ch. 90, Art. 27)**

N.C. Gen. Stat. § 90, Article 27 permits the conduct that is the subject of the Amended Notice of Charges and Allegations.

**FIFTH DEFENSE**  
**(N.C. Gen. Stat. § 90-14(a)(6))**

The North Carolina Medical Board is prohibited by N.C. Gen. Stat. § 90-14(a)(6) from revoking Dr. Johnson's license because of his practice of a therapy that is experimental, non-traditional, or that departs from acceptable and prevailing medical practices unless, by competent evidence, the Board can establish that the treatment has a safety risk greater than the

prevailing treatment or that the treatment is generally not effective. Such showing cannot be made in this instance.

While the North Carolina Medical Board may be skeptical of Dr. Johnson's alternative experiments, there is no definitive conclusion as to the effectiveness of the Electro-Scaler energy resonant experiment which in and of itself does not amount to "therapy" nor "treatment". Further, there is no evidence that Dr. Johnson's actions perform any harm. The technology is experimental and is promoted as such.

The North Carolina Medical Board should not be permitted to improperly invoke its punitive powers if it is found that it has brought the Amended Notice of Charges and Allegations in order to impair Dr. Johnson's practice because it is an alternative/integrative practice.

The basis to investigate Dr. Johnson, as per the North Carolina Medical Board's internal documents, is Dr. Johnson's practice of integrative and/or "alternative medicine" (See Exhibits A and B, highlighted for emphasis). Charges based on lawful, harmless, or, at most negligible misconduct (any misconduct is denied by Dr. Johnson) that so happens to be committed during an alternative/integrative practice should not be permitted. However Dr. Johnson's alternative/integrative practice is the focus of this investigation.

Therefore, the allegations are prohibited by N.C. Gen. Stat. § 90-14(a)(6)

Wherefore Respondent respectfully requests that the North Carolina Medical Board voluntarily dismiss with prejudice its Amended Notice of Charges and Allegations and Notice of Hearing and grant any other appropriate relief.

This, the 10th day of July, 2003.

ROUNTREE, LOSEE & BALDWIN, L.L.P.  
2419 Market Street  
Post Office Box 1409  
Wilmington, North Carolina 28402-1409  
Telephone: (910) 763-3404  
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By: 

Jason R. Harris  
N.C. State Bar No. 27876

Attorneys for Respondent

STATE OF NORTH CAROLINA

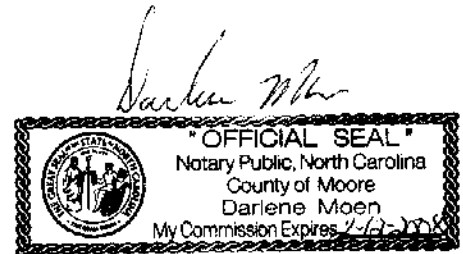
V E R I F I C A T I O N

COUNTY OF NEW HANOVER

KEITH EMERY JOHNSON, M.D., being first duly sworn, deposes and says that he is a Respondent in this action and has read the foregoing Verified Answer, that he knows the contents thereof, that the same are true of his own knowledge, except for those matters stated on information and belief, and as to those matters, he believes them to be true.

Keith Emery Johnson, M.D.  
Keith Emery Johnson, M.D.

Sworn to and subscribed before me  
This 9 day of July, 2003.



**CERTIFICATE OF SERVICE**

I certify that the foregoing document was served on the following individual via hand delivery.

Marcus Jimison, Esquire  
Court Facility Building  
Courtroom 108  
102 Monroe Street  
Carthage, North Carolina 28327

This, the 10th day of July 2003.



JASON R. HARRIS

8/02 Investigative Committee  
Board Member: Dr. Norins  
Investigator: Kate Mahony, RHIA

## REPORT OF INVESTIGATION

**Name:** Keith Emery Johnson, M.D.  
**Address:** Carolina HeathQuest  
1852 US Hwy 1 South  
Southern Pines, NC

### License Information

**License Number:** 30178  
**Date Issued:** 6/7/86  
**Basis:** Flex  
**Registration:** Current

### NCMB Information

**Malpractice Rpts:** No  
**DEA privileges:** All Schedules  
**NCPHP:** No  
**Formal Action:** None

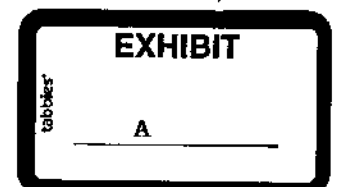
### Background

**Date of Birth:** 4/15/54  
**Place of Birth:** Iowa  
**Med School/Grad:** U Iowa 82  
**Internship/Date:** LSU-NO LA 86  
**Residency/Date:** --  
**Specialty:** GP

**CATCHLINE:** Alternative Medicine

### **PAST NCMB FILE:**

- 5/93 - Investigative report reviewed regarding questionable system of care. Physician does not have hospital privileges. Board Action: Accept report as information, ask for CME documentation, and send 9-5 position statement when approved.
- 7/93 - CME documentation received.
- 1/94 - Investigative Full Board - Possible lack of continuity of care/alternative treatment. Action: Informal Interview 3/94.
- 3/94 - Informal Interview - Possible lack of continuity care - alternative treatments. Action: Thanked MD for coming to discuss practice and asked that he consider a more holistic approach to his practice.
- 5/95 - Investigative Committee - Alternative treatments. Action: Defer
- 7/95 - Investigative Committee - Alternative treatments. Action: Defer
- 9/95 - Complaint (Rita Gillespie) - MD moved his office without notifying his patients. Action: Letter to complainant. Thank you for allowing the Board to review your complain. We are told that you did receive your medical records from Dr. Johnson's office. Please inform the Board if this is not the case.
- 7/97 - Complaint (Jeanne Gerhardt) - Complainant states MD is misrepresenting his ability to treat cancer patients. Action: Invite MD for an Informal Interview. Letter to complainant: Investigation is continuing. WE DO NOT HAVE PERMISSION TO SHARE FORM FOR THIS COMPLAINT!
- 8/97 - Complaint (Thomas Whyte, MD) - Summary below. Committee requested informal interview.
- 9/97 - Informal Interview - Board Action: MD to send copy of consent form for treatment to Board's office; Board will continue to communicate with Dr. Johnson & will remain interested;





continue to investigate; subpoena financial records & medical records; obtain a copy of Dr. Johnson's diet.

10/97 - Complaint Committee - Consent form and diet information received by Board.

9/98 Investigative Committee - Alternative Medicine - Mr. Celentano and Mr. Wilson reviewed Dr. Johnson's financial records, general ledger and invoices for supplies and found nothing out of the ordinary. Board Action: Accept as information

#### **INVESTIGATIVE SUMMARY:**

Dr. Johnson is experimenting with a device called an Electro-Scaler that supposedly detects and eliminates DNA abnormalities that cause disease. He states that he does not charge for this service, but only performs it on people who have joined HealthQuest Clinic (cost \$350).

#### **INVESTIGATIVE DETAILS:**

On 3/22/02 Dr. Townsend received a telephone call from Craig Farmer, a psychologist in Pinehurst, NC. Mr. Farmer stated that a physician had contacted him attempting to obtain names of his patients with AIDS or cancer. He said that this physician claimed to have a device called an Electro-Scaler that could be attached to the patient's finger or even to a signature or a picture of the patient and was able to diagnose and treat such things as AIDS and cancer.

On 3/25/02 I spoke with Mr. Farmer by telephone at Carolina Behavioral Care, 910-295-6007, ext 7. He stated that the physician who had visited him was Dr. Keith Johnson. He stated that Dr. Johnson took his picture, connected it to the Electro-Scaler and diagnosed him with AIDS. Dr. Johnson requested names of AIDS and cancer patients that Mr. Farmer was counseling so that he could offer them treatment with the Electro-Scaler. Mr. Farmer stated he declined to provide any information to Dr. Johnson. He stated that Dr. Johnson called him later that week to say that he did not have AIDS, that the polarity on the machine was incorrect when he ran the test.

On 6/21/02 I again spoke with Mr. Farmer. He stated that he had spoken with Dr. Johnson further about the Electro-Scaler Energy Resonant Therapy, developed by Elton Pigg. This therapy supposedly detects and eliminates DNA abnormalities that cause disease. Mr. Farmer stated that Dr. Johnson had no scientific proof and seemed unwilling to follow research protocols.

On 6/25/02 I interviewed Dr. Johnson at HealthQuest in Southern Pines, NC. He showed me the Electro-Scaler and provided a handout (Attachment 1) on the theory behind the treatment. He stated that through experimentation he has discovered that taking a photograph of a person and scanning it with the Electro-Scaler, then attaching the photograph to an electrode, coupled with sincere prayer for a good outcome, will result in the cure of most diseases. He stated that colon cancer seemed to be the only thing that the Electro-Scaler did not work on.

Dr. Johnson stated that he does not charge for Electro-Scaler scanning or treatment, but that he only performs it on people who are members of HealthQuest. Membership is \$350.

#### **ATTACHMENTS:**

1. Electro-Scalar Energy Resonant Therapy



1852 US Hwy #1 South, Southern Pines, NC 28387  
(910) 695-0335 -- Phone (910) 695-3697 -- Fax

**Keith E. Johnson, MD**

## Electro-Scalar Energy Resonant Therapy Influence of AC Voltage on Disease

Elton Pigg (1900--1996) left as his legacy to the world, an electronic device that appears to detect and extinguish the abnormal DNA activity associated with "pre-programmed" disease processes, including cancers, viruses, bacteria, fungi, parasites and other diseases. His device effectively identifies and blocks the flow of energy from the "higher-level" host (human being, animal or plant) to the "lower-level" disease process that is feeding upon it. Interrupting this energy-flow causes the cancer cells, pathogenic organisms and other disease processes to "run out of gas", giving the host's immune system a chance to eliminate them and repair the damages.

The Pigg device is inherently safe, simple, cheap and effective -- especially for those diseases that up to now have had no known cause and no known cure. Even more impressive is the fact that both diagnosis and treatment can be accomplished remotely through a surrogate -- a photograph, autograph, or other personal artifact -- that can be "coupled" to the patient by way of a "scalar-energy field." This phenomenon, although not well understood, is nevertheless a clear and convincing demonstration of the meta-spiritual nature of this subconscious, communication pathway.

The Pigg device has the potential for providing *diagnosis* beyond blood tests, biopsies, x-rays and ultrasounds, and for providing *treatment* beyond drugs, surgery, chemotherapy and radiation. Its greatest potential, however, is for ultimately providing *prevention* for the very chronic and terminal diseases that it now diagnoses and treats -- offering a glimpse of a future without such diseases.

Unfortunately, the original Pigg device was frustratingly primitive and tedious to use due to its manual methodology. Dr. Johnson is currently upgrading and computerizing the method in preparation for clinical trials for a variety of cancers (prostate, brain, breast, lung, lymphoma, leukemia and childhood cancers), viruses (HIV, hepatitis-C and herpes), neurological disorders (Parkinson's, Lou Gehrig's and M.S.), psychiatric disorders (bipolar illness and childhood autism/ADHD), gastrointestinal disorders, asthma, tuberculosis and kidney stones. He is also exploring veterinary and military applications, including protection against biological warfare.

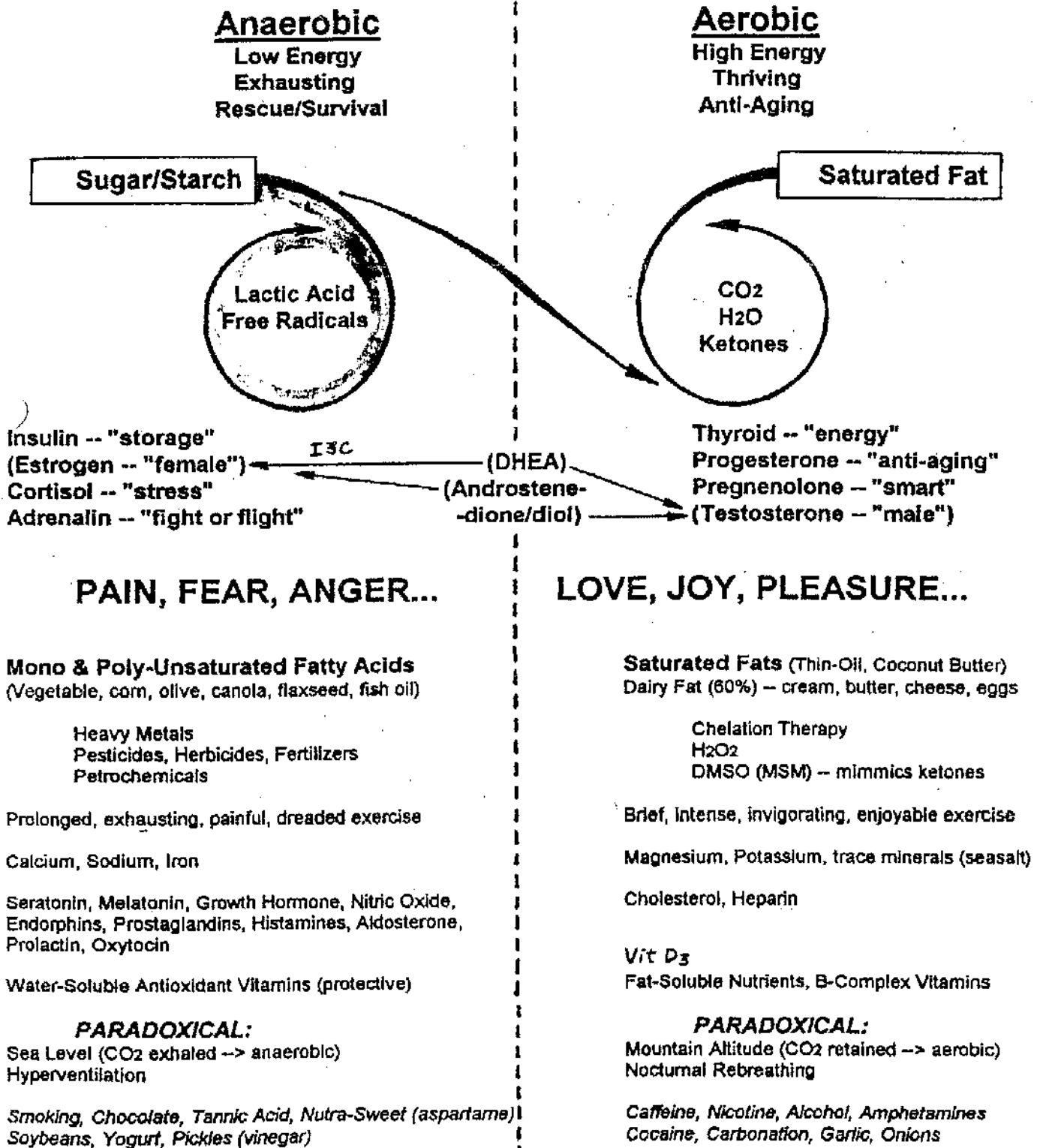
## Electro-Scalar Energy Resonant Therapy

### Patient Outcomes -- 2001

| <u>Type of Cancer</u> | <u># of Patients</u> | <u># Significantly Improved</u> | <u>Percent Improved</u> |
|-----------------------|----------------------|---------------------------------|-------------------------|
| Prostate              | 9                    | 9                               | 100%                    |
| Brain                 | 3                    | 3                               | 100                     |
| Childhood             | 2                    | 2                               | 100                     |
| Breast                | 6                    | 5                               | 83                      |
| Lung                  | 6                    | 4                               | 67                      |
| Pancreatic            | 6                    | 3                               | 50                      |
| Ovarian               | 2                    | 1                               | 50                      |
| <u>Tonsillar</u>      | <u>2</u>             | <u>1</u>                        | <u>50</u>               |
| <b>TOTAL</b>          | <b>36</b>            | <b>28</b>                       | <b>78%</b>              |
| <u>Colon</u>          | <u>6</u>             | <u>1</u>                        | <u>17</u>               |

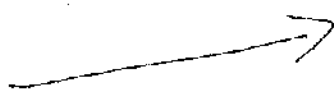
Keith E. Johnson, MD, was raised and schooled in Iowa City, Iowa, graduating from the University of Iowa, College of Medicine in 1982. His post-graduate studies were in exercise physiology at Nautilus Sports/Medical Industries in Lake Helen, Florida, followed by family medicine in North Carolina. In 1985, Dr. Johnson's career took a sharp turn when his family-medicine patients would not take "No!" for an answer and persuaded him to learn and provide a variety of "Complementary and Alternative" medical therapies, including *Chelation Therapy*, *Hydrogen Peroxide* and *DMSO*. The beneficial effects of these treatments were so impressive that in 1993, Dr. Johnson closed his family practice in order to devote all of his time to alternative therapies. He named his new clinic *Carolina Health Quest*, and expanded his offerings to include *Alternative Cancer Therapies* and *Clinical Nutrition*. In October, 2000, his clinic upgraded again as he introduced *Electro-Scalar Energy Resonant Therapy* for the "electrical" detection and treatment of chronic, progressive and terminal illnesses, including cancer, AIDS, cardiovascular, neurological, gastrointestinal and childhood diseases. He hosts a live, "Alternative Answers and Questions," medical, talk-radio show on WEEB-990AM, Wednesday mornings, from 8-9 AM, in Southern Pines, NC.

# Metabolic Determinants



22 March 2002

Craig Farmer



*Cardium Behavioral Care  
behind leaves foods =  
Dr Fleming*

I received a call from this psychologist from Pinehurst (910/295-6007 ext. 7) regarding concerns about an M.D. in that area who had contacted him attempting to obtain names of his patients with AIDS or cancer. This physician claimed to have a device called "an electroscaler" that could be attached to the patient's finger or even to a signature or a picture of the patient and was able to diagnose and treat such things as AIDS and cancer. In fact, one of his patients reported that the physician had used the psychologist's name as a reference when approaching the patient with the proposed treatment. I informed him that someone from our Investigations Department would contact him in the near future. He did not give the physician's name but indicated he would do so.

GMT

Keith Johnson, MD

*Donna,*

*Call this guy and see if  
there's anything here to make a case  
out of. It appears like it's a case to me.*

*Let me know,  
John*

*3/25 left message*

*1:17p*

*Mr Farmer counsels  
many patients from here.*

*Aries Health Management - AIDS assistance*

*4<sup>00</sup> - Mr Farmer called. physician is Keith  
Johnson - took his photograph & diagnosed  
him with AIDS. Carter said he was  
incorrect, the polarity was wrong.*

**MBJ-DLE-TWM**

**BOARD ACTION**

**JOHNSON, Keith E., MD**  
Southern Pines, NC

**GP**

**Kate Mahony**

**8/22/02      INVESTIGATIVE COMMITTEE REPORT**

**Catchline:      Alternative Medicine**

**Investigative Summary: Dr. Johnson is experimenting with a device called an Electro-Scaler that supposedly detects and eliminates DNA abnormalities that cause disease. He states that he does not charge for this service, but only performs it on people who have joined HealthQuest Clinic (cost \$350).**

**Board Action: (MN)**

- 1.      Charge MD with Unprofessional Conduct for soliciting to obtain confidential information.**

