

**MINUTES**  
**Monthly Meeting**  
**MEDICAL LICENSURE COMMISSION OF ALABAMA**  
**Meeting Location: 848 Washington Avenue**  
**Montgomery, Alabama**

**January 23, 2019**

MEMBERS PRESENT

James H. Walburn, M.D., Chairman  
George C. Smith, Sr., M.D., Vice Chairman  
Craig H. Christopher, M.D.  
Pamela Varner, M.D.  
Jorge A. Alsip, M.D.  
Paul M. Nagrodzki, M.D.  
L. Daniel Morris, Esq.

MEMBERS NOT PRESENT

Gary Hill, D.O.

OTHERS PRESENT

Karen H. Silas, Medical Licensure Commission (Recording Secretary)  
Wallace D. Mills, Legal Counsel  
Randy Dixon, Security

Call to Order: 9:03 a.m.

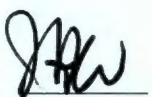
Prior notice having been given in accordance with the Alabama Open Meetings Act, and with a quorum of seven members present, Commission Chairman, James H. Walburn, M.D. convened the monthly meeting of the Alabama Medical Licensure Commission.

OLD BUSINESS

None

NEW BUSINESS

None



**RSVP LICENSE**

None

**IMLCC LICENSE**

None

**LIMITED LICENSE**

None

**LL FOR REVIEW**

Zakeya Al-Sadah, M.D. A decision on this application for licensure was deferred until the Commission's February 27, 2019 meeting.

**SPECIAL PURPOSE**

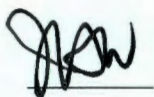
None

**CURRENT BUSINESS**

None

**EXECUTIVE SESSION**

Chairman Walburn made a motion to enter into executive session to discuss the general reputation and character, physical condition, professional competence, or mental health of an individual and to hear, deliberate and discuss evidence presented during any contested case



hearings. The motion was seconded and carried by unanimous approval. Chairman Walburn announced that the Alabama Medical Licensure Commission would reconvene in a public session at approximately 12:00 p.m.

**The Commission entered into executive session at 9:10 a.m.**

Following the executive session, Commission Chairman, James H. Walburn, M.D. reconvened the public meeting of the Alabama Medical Licensure Commission.

**Reconvened in public session at 12:05 p.m.**

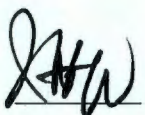
**LICENSURE APPLICANTS FOR REVIEW**

None

**HEARINGS**

Michelle Snyder Jackson, M.D. Based on information received during a closed hearing a motion was made and adopted to issue an Order . A copy of such Order is attached hereto as Exhibit "A".

Scott Burton Robbins, M.D. Based on evidence received during a closed hearing, a motion was made and adopted by unanimous vote to issue an Order. A copy of such Order is attached hereto as Exhibit "B".



**REPORTS**

Hobert J. Sharpton, D.O. The Commission instructed Physician Monitor, Edwin Rogers to contact Dr. Sharpton to discuss his CPEP Report and to request in writing his plan for implementing the CPEP Educational Plan.

**REQUESTS**

Paul Muratta, D.O. A hearing was scheduled for March 18, 2019 on Dr. Muratta's request for reinstatement.

**OTHER BUSINESS**

None

**PUBLIC MEETING NOTICE:** Chairman, James H. Walburn, M.D. announced the next meeting of the Alabama Medical Licensure Commission for Wednesday, February 27, 2019 at 9:00 a.m. A motion was made and adopted by unanimous vote to adjourn the meeting.

Meeting Adjourned at 12:26 p.m.

James H. Walburn, M.D.

JAMES H. WALBURN, M.D., Chairman  
Alabama Medical Licensure Commission

Karen H. Silas

Karen H. Silas, Executive Assistant,  
Recording Secretary

February 27, 2019  
Date Signed



**BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA**

<b>ALABAMA STATE BOARD OF MEDICAL EXAMINERS,</b>	)	
	)	
<b>Complainant,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 15-355</b>
	)	
<b>MICHELLE SNYDER JACKSON, M.D.,</b>	)	
	)	
<b>Respondent.</b>	)	

**ORDER**

This matter is before the Medical Licensure Commission of Alabama (the “Commission”) pursuant to an administrative complaint filed by the Alabama Board of Medical Examiners (the “Board”) on February 19, 2018, and pursuant to a Joint Settlement Agreement entered into by the Board and the Respondent, MICHELLE SNYDER JACKSON, M. D., license number MD.18274. The Commission hereby finds that it has jurisdiction of the Administrative Complaint and the parties hereto, pursuant to Ala. Code § 34-24-361.

A hearing was held on the Administrative Complaint on January 23, 2019 at which Dr. Jackson appeared with counsel and testified. In consideration of the testimony at said hearing and the Joint Settlement Agreement of the parties and the stipulations contained therein, which is incorporated by reference as if set forth fully herein, the Commission hereby finds that the Respondent, MICHELLE SNYDER JACKSON, M. D., has committed acts which violate Ala. Code §§ 34-24-360(2), (13), and (22); specifically:

From in or about August 2014, and continuing through July 2016, more exact dates being unknown, Dr. Michelle Snyder Jackson participated in a compounding pharmacy fraud scheme. Northside Pharmacy d/b/a Global Compounding Pharmacy (hereinafter “Global”) was an

Alabama company that provided pharmaceutical services. It operated from two locations. It compounded and shipped pre-manufactured and compounded products from its pharmacy location, 922 20<sup>th</sup> Street, Haleyville, AL. It processed prescriptions, including initial receipt, billing, and patient contact, from its billing center located at 4700 140<sup>th</sup> Avenue North, Suites 111 and 112, Clearwater, FL 33762. The billing center was referred to as the Clearwater Call Center.

Global shipped drugs from its Haleyville, AL location to customers within and outside Alabama via the United States Postal Service (“USPS”) and private mail carriers such as the United Parcel Service (“UPS”). Global employed pharmacists, pharmacy technicians, and other employees who worked from the Haleyville, AL location.

Global hired outside sales representatives who worked from various locations throughout the United States, including Alabama. These sales representatives were primarily responsible for generating prescriptions from prescribers. The outside sales representatives reported to regional district managers.

In or about May 2015, two Global employees became the listed owners of Carrollton Pharmacy d/b/a The Prescription Shop (“TPS”), located at 41254 Highway 195, Haleyville, AL 35565. Beginning in or about September 2015, Global primarily compounded, shipped, and billed its drugs from TPS rather than Global because Global had been terminated by Prime Therapeutics from its network on May 29, 2015.

It was a part of Global’s scheme to generate gross profits to seek and hire outside sales representatives with close relationships to prescribers. In addition, management at Global encouraged outside sales representatives to generate sales by working, typically without pay, in



prescribers' offices. With access to patient files, the outside sales representatives were expected to review the medical records and push and promote Global's products to the prescribers' patients.

Another strategy employed by Global to generate revenue included regular instructions from management to outside sales representatives to obtain prescriptions for Global's highest reimbursing products for themselves and their family members, regardless of medical necessity.

In December 2015, the Board received a letter from Dr. Susan Alverson, Executive Secretary of the Alabama Board of Pharmacy, requesting assistance in an investigation of Global Pharmacy. Dr. Alverson stated that the Pharmacy Board had received information that large numbers of prescriptions were originating from Dr. Michelle Snyder Jackson's office in Mobile and being filled at TPS.

Dr. Alverson stated further that the Board of Pharmacy had received a complaint from a person who had received compounded prescription medications sent to his/her home. The complainant said that the compounded prescriptions had not been requested by him/her. The medication was prescribed by Dr. Jackson.

Based on a review of records from Blue Cross Blue Shield of Alabama, Dr. Jackson wrote \$1.6 million in compounded prescriptions in 2016. All of the prescriptions were claimed by Global Pharmacy. The Global Pharmacy pharmaceutical representative associated with Dr. Jackson's compounded prescriptions, Bonita Amonett, is also a patient of Dr. Jackson. Dr. Jackson prescribed compounded medications to Ms. Amonett that resulted in Global Pharmacy receiving \$100,000 in reimbursement from BC/BS. Dr. Jackson owns an outpatient clinic known as Slim and Trim Medical Weight Loss. Dr. Jackson does not accept insurance at the Slim and

Trim clinic. She accepts cash or credit card only. Ms. Amonett shares office space with Dr. Jackson at the clinic.

On April 5, 2016, a Board investigator went to Dr. Jackson's weight loss clinic. The clinic was closed. The investigator went to the back of the clinic where he met an employee of a nearby business. The employee, a registered nurse, stated that Ms. Amonett did weight loss consultation at the clinic. She also said Ms. Amonett did her pharmaceutical job out of that office. The employee stated that she used to own the building, and that Ms. Amonett approached her a couple years ago to lease office space for the weight loss clinic.

Further, the employee identified three people, one of whom resides in Jefferson County, AL, who received compounded prescriptions from Global Pharmacy. None of the three people identified were Dr. Jackson's patients.

On June 14, 2016, a Board investigator interviewed a cooperating witness who is a pharmaceutical representative for Global Pharmacy. According to the cooperating witness, Global Pharmacy representatives were paid a monthly commission of 7% of the pharmacy's net reimbursement from compounded prescriptions they generated with a cap of \$100,000. A representative could also receive a payment of 10% of revenue after that. Global's practice was to not collect co-pays from patients for these compounds. The compounds were cheap to manufacture, but Global was able to receive reimbursement from third-party payors in amounts such as \$4,000, \$7,000, and \$10,000 for each prescription.

With regard to Dr. Michelle Jackson, the witness stated that Bonita Amonett was the sales representative associated with Dr. Jackson. The witness reported that Amonett had generated a very large number of prescriptions from Dr. Jackson, on occasion sending as many



as 200 prescriptions to Global on a single day. None of the other Global representatives were able to generate such numbers.

On June 16, 2016, a Board investigator interviewed a second Global Pharmacy representative. The representative stated that Ms. Amonett was getting more prescriptions from Dr. Jackson than any other pharmacy representative.

On Friday, September 23, 2016, a Board investigator met with Dr. Jackson. Dr. Jackson stated that she saw approximately 30 to 40 patients a day. Pharmacy records show that Dr. Jackson wrote an average of 25 to 30 prescriptions per day for compounded creams. Dr. Jackson admitted that Ms. Amonett could be writing prescriptions to her patients and could have been accessing her patient information. Dr. Jackson admitted that the three people identified by the registered nurse as receiving compounded creams prescribed by Dr. Jackson were not her patients.

In November 2015, Dr. Jackson wrote a new compounded medication prescription for patient C.B. This patient died in September 2015.

The Board interviewed Dr. Jackson in November 2017. A chart review by the Board of twenty (20) patient charts revealed a number of issues, including: Dr. Jackson prescribing testosterone to herself, prescribing to her friend and associate, inadequate documentation to support care, inadequate medical records, inadequate laboratory and imaging evaluation, and excessive prescribing.

The Commission concludes, as a matter of law, that the foregoing facts constitute violations of Ala. Code §§ 34-24-360(2), (13), and (22).

Based upon the foregoing findings of fact and conclusions of law, it is the ORDER of the Medical Licensure Commission:

1. That the license to practice medicine of the Respondent, MICHELLE SNYDER JACKSON, M.D., license number MD.18274, be, and is hereby REVOKED;
2. That the revocation of Dr. Jackson's license is suspended;
3. That Dr. Jackson's license shall be placed on probation, subject to the following conditions:
  - a. Dr. Jackson shall submit to an impairment evaluation by the Alabama Physician Wellness Committee within ten (10) days of this Order and abide by any and all recommendations made by the Committee;
  - b. Dr. Jackson shall complete Board-approved continuing medical education in medical record-keeping within twelve (12) months of this order;
  - c. Dr. Jackson shall complete intensive (minimum of two days) continuing medical education in medical ethics, as offered by Professional Boundaries, Inc. ("PBI") or Case Western Reserve University within twelve (12) months of this order;
  - d. Dr. Jackson shall complete intensive continuing medical education in prescribing, as offered by Professional Boundaries, Inc. ("PBI") or Case Western Reserve University within twelve (12) months of this order;
  - e. Dr. Jackson shall not prescribe any compounded medications;
  - f. Dr. Jackson shall not prescribe any substance, medication, or durable medical equipment to herself, coworkers, friends, or family members;
  - g. Dr. Jackson shall refrain from any interactions with representatives of



pharmaceutical companies, durable medical equipment manufacturers, or any person or entity with a commercial or financial interest in a healthcare product;

- h. Dr. Jackson shall not practice pain management or hold a controlled substance dispensing registration;
- i. Dr. Jackson shall not order, manufacture, distribute, possess, administer, dispense, or prescribe narcotic or opioid pain medication, except for the treatment of acute pain under the following condition:
  - i. No prescription shall exceed seven (7) days, which shall include refills or successive prescriptions;
  - ii. No prescription may exceed a daily morphine milligram equivalent dose of 30 MME;
  - iii. Patients requiring treatment for pain lasting longer than seven (7) days shall be referred to a pain specialist or a specialist appropriate for the patient's pain-generating condition;
- j. Dr. Jackson shall not practice or participate in a practice the goal or focus of which is weight loss or weight management; and
- k. Dr. Jackson shall abide by all state and federal laws, and all state and federal administrative regulations related to the practice of medicine.
- l. The Commission will consider lifting or amending the probationary terms herein upon Dr. Jackson's completion of items (a) through (d) immediately above.
- m. In order to provide a transition period for Dr. Jackson's patients to find other



medical care where needed and to avoid a lapse in care for those patients, the conditions of probation enumerated herein shall take effect upon the expiration of sixty (60 days from the date of this order.

4. That Dr. Jackson be, and is hereby assessed an administrative fine in the amount of ten thousand dollars (\$10,000) for each violation of Ala. Code §§ 34-24-360(2), (13), and (22), for a total fine of thirty thousand dollars (\$30,000). The administrative fine is due and payable to the Medical Licensure Commission on or before December 31, 2019.

5. The counts alleging violations of Ala. Code §§ 34-24-360(11) and (23) are hereby dismissed without prejudice.

IT IS FURTHER ORDERED that Dr. Jackson is required to show complete compliance with this Order before any petition for modification or relief from the restrictions can be filed. The Board shall monitor and report Dr. Jackson's compliance with the terms of this order to the Commission. Any failure by Dr. Jackson to comply with any or all of the terms of probation imposed by this Order will be governed by Commission Rule 545-X-3-.16 (Probation Compliance Hearings).

ORDERED this the 6th day of February, 2019.



James H. Walburn, M.D., Chairman,  
Medical Licensure Commission of Alabama

BEFORE THE MEDICAL LICENSURE COMMISSION  
OF ALABAMA

ALABAMA STATE BOARD OF MEDICAL )  
EXAMINERS, )

Case No. 18-275

Complainant, )

v. )

SCOTT B. ROBBINS, M.D. )

Respondent. )

ORDER

This cause came before the Medical Licensure Commission of Alabama on an administrative complaint filed against Scott B. Robbins, M.D. by the Alabama State Board of Medical Examiners in the above-numbered case seeking to revoke Dr. Robbins's license to practice medicine in Alabama. A hearing was held on January 23, 2019 at which the Commission received oral testimony and documentary evidence from Complainant. Dr. Robbins, having been duly served with notice of said hearing, was not present for the hearing and was not represented.

Based upon the evidence presented at the hearing, the Commission hereby finds as follows:

1. That Dr. Robbins had completed inpatient treatment for alcohol use/abuse on or about July 12, 2018;
2. That Dr. Robbins failed a drug screen on August 29, 2018, which test indicated a relapse;



3. That on or about December 8, 2018, Dr. Robbins was incarcerated in the Walton County, Florida jail awaiting trial for driving under the influence of alcohol or drugs and leaving the scene of an accident.

Based upon those findings, the Medical Licensure Commission concludes as a matter of law as follows:

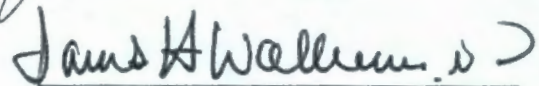
1. That Scott B. Robbins, M.D. is unable to practice medicine or osteopathy with reasonable skill and safety to patients by reason of illness, inebriation, excessive use of drugs, narcotics, alcohol, chemicals, or any other substance, or as a result of any mental or physical condition as set out in § 34-24-360(19)(a).

It is, therefore, ORDERED as follows:

1. That the license to practice medicine in the state of Alabama issued to Scott B. Robbins, M.D. shall be and is hereby REVOKED; and

2. That Complainant shall be and is hereby awarded administrative costs incurred in this action. If Complainant seeks to recover said costs, it shall submit to the Medical Licensure Commission a bill of costs within thirty (30) days of the date of this order. Such bill of costs shall be served on Respondent. Respondent shall submit its opposition or objections, if any, within ten (10) days of Complainant's service of said bill in accordance with § 545-X-3-.08(11) Ala. Admin. Code.

Done this 6th day of February, 2019.



JAMES H. WALBURN, M.D.  
Chairman, Medical Licensure Commission  
of Alabama