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

November 22, 2019

MEMBERS PRESENT

MEMBERS NOT PRESENT

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

OTHERS PRESENT

Karen H. Silas, Medical Licensure Commission (Recording Secretary) Wallace D. Mills, Legal Counsel William Perkins, Associate Executive Director Roland Johnson, Physician Monitor Nicole Chapman, Administrative Assistant

Call to Order: 9:00 a.m.

Prior notice having been given in accordance with the Alabama Open Meetings Act, and with a quorum of eight members present, Commission Chairman, George C. Smith Sr., M.D., convened the monthly meeting of the Alabama Medical Licensure Commission.

EXECUTIVE DIRECTORS REPORT

The Commission received as information a letter from Humayun J. Chaudhry, D.O.,

President and CEO of the Federation of State Medical Boards stating that the Commission's

application for full membership will be placed on the agenda for consideration in February, 2020.

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EXECUTIVE SESSION

Chairman Smith requested 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. A motion was made by Commissioner Christopher with a second by Commissioner Morris to enter into executive session. The motion carried by unanimous approval. Chairman Smith announced that the Alabama Medical Licensure Commission would reconvene in a public session at approximately 9:30 a.m.

The Commission entered into executive session at 9:05 a.m.

Following the executive session, Commission Chairman, George C. Smith, Sr., M.D. reconvened the public meeting of the Alabama Medical Licensure Commission.

The Commission reconvened in public session at 9:40 a.m.

OLD BUSINESS

MINUTES October 25, 2019 Commissioner Christopher made a motion that the Minutes of October 25, 2019 be approved as presented. A second was made by Commissioner Morris. The motion was adopted by unanimous vote.

NEW BUSINESS

Name

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Medical School

Endorsement

1.Shant Peter AfarianSaint Louis University School of MedicineUSMLE2.Angela Rene BevillWilliam Carey University College of Osteopathic MedicineCOMLEX/MS3.Hannah LaRhea BowersUniversity of Alabama School of Medicine BirminghamUSMLE4.Andrew Joseph BradsherUniversity of Arkansas College of MedicineUSMLE

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5	5.	Julie Christine Brown	Medical University of South Carolina College of Medicine	USMLE	
6	6.	Frederick Afton Brown III Alabama College of Osteopathic Medicine		COMLEX	
7	7.	Stefania Carmona Augusta University			
8	8.	Brooke Garrett Carroll			
9	9.	Travis Kurt Carroll	University of Louisville School of Medicine	USMLE	
10	10.	Jennifer Anne Cassady	John P. and Kathrine G. McGovern Medical School	USMLE	
11		Jose Antonio Cavo	University of Alabama School of Medicine Birmingham	USMLE	
12		Dona W Chen	Sidney Kimmel Medical College at Thomas Jefferson U	USMLE/PA	
13	13.	Jennifer Yeh Chiang	University of Illinois College of Medicine Chicago	USMLE/CA	
14		Barbrette Baldwin Clayborn	Loyola University of Chicago Stritch School of Medicine	USMLE/MS	
15		Anton Emil Coleman	Universidad Del Salvador	FLEX/OR	
16		Brent Miles Cone	Medical College of Georgia School of Medicine	USMLE	
17	17.	Ryan Andrew Coute	Kansas City University of Medicine & Biosciences	COMLEX	
18		Kyle Gordon Cox	University of Central Florida College of Medicine	USMLE	
19	19.	William Clifton Crittenden	University of South Alabama College of Medicine	USMLE	
20	20.	Laura Marie Crocker Mitchell	University of Alabama School of Medicine Tuscaloosa	USMLE	
21	21.	Stephanie Currin De Masi	Virginia Commonwealth University School of Medicine	USMLE	
22	22.	Alissa Jean Doll	University of Louisville School of Medicine	USMLE	
23	23.	Ernest Addo Donkor	University of Ghana Medical School	USMLE/NH	
24	24.	Martina Drawdy Charles'	University The First School of Medicine	USMLE/NY	
25	25.	Bernard John DuBray Jr.	Georgetown University School of Medicine	USMLE/TN	
26	26.	Sarah Anne Dunk	Tulane University School of Medicine	USMLE	
27	27.	Bradley Scott Edmonds	University of South Alabama College of Medicine	USMLE/ SC	
28	28.	Dany Gassan El-Hajjar	Universite Saint-Joseph	USMLE/FL	
29	29.	Emily M. Erstine	University of Arkansas College of Medicine	USMLE/PA	
30	30.	Wally Folad	Saint James SOM St. Vincent and the Grenadines	USMLE/AZ	
31	31.	Benjamin Heath Foster	Mercer University School of Medicine	USMLE	
32	32.	Andrew Steven Gahagan	Louisiana State University School of Medicine New Orleans	USMLE	
33	33.	Matthew Casey Geiger	American University of The Caribbean	USMLE/MS	
34	34.	Gamal Samir Gobraeel	Cairo University Faculty of Medicine	USMLE/NY	
35	35.	Laura Elizabeth Goyack	University of Central Florida College of Medicine	USMLE	
36	36.	William O'Neal Griffin	University of Alabama School of Medicine Birmingham	USMLE	
37	37.	Maged Nabel Aziz Guirguis	Ain Shams University Faculty of Medicine	USMLE/OH	
38	38.	Salil Kumar Gupta	Maulana Azad Medical College, University of Delhi	FLEX/IA	
39	39.	Nadia Mageed Hameed	University Of Baghdad	USMLE	
40	40.	William Johnson Hardy III	University of South Alabama College of Medicine	USMLE	
41	41.	Meghan Webb Harrison	University of Tennessee Health Science Center COM	USMLE	
42	42.	Christine Elizabeth Hermann	University of Texas - Houston Medical School	USMLE	
43	43.	Mary McGee Hopper	Mercer University School of Medicine	USMLE	
44	44.	Jessica Leigh Houston	Alabama College of Osteopathic Medicine	COMLEX	
45	45.	Stephen Earle Hudson	University of South Carolina School of Medicine	USMLE	
46		Sooraj John	University of Florida College of Medicine	USMLE	
47		Dustin Lee Johnson	Marshall University School of Medicine	USMLE/SC	
48	48.	Richard Sun Jung	Augusta University	USMLE/OH	

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49	49. Taylor Schroeder Kuhlman	Medical University of South Carolina College of Medicine	USMLE
50	50. Cory Dwayne Lamar	Meharry Medical College School of Medicine	USMLE/NC
51	51. Kevin Joseph Lee	Medical College of Georgia School of Medicine	USMLE
52	52. Heather Leigh Licht	University of Maryland School of Medicine	USMLE/TX
53	53. Kelsey Paige Lipking	Indiana Medical College SOM of Perdue University	USMLE
54	54. Kaitlyn Crow Littleton	University of South Alabama College of Medicine	USMLE
55	55. Jordan Elizabeth Lowery	University of South Alabama College of Medicine	USMLE
56	56. Adria Chiu-Man Luk	University of Mississippi School of Medicine	USMLE
57	57. Olga Leonidovna Mazur	University of Mississippi School of Medicine	USMLE
58	58. Sara Amelie McConnell	Lake Erie College of Osteopathic Medicine	COMLEX
59	59. Ryan Patrick McLynn	Yale University School Of Medicine	USMLE
60	60. Brian Andrew Moore	Tulane University School of Medicine	USMLE/TN
61	61. Ivan Andres Morales	Augusta University	USMLE
62	62. Madeline Frances Morgan	University of Alabama School of Medicine Birmingham	USMLE
63	63. David Matthew Yellin Morley	Sackler School of Medicine, Tel Aviv University	USMLE/NY
64	64. Caleb Daniel Murray	Liberty University College of Osteopathic Medicine	COMLEX
65	65. Jeffrey Quoc-Hung Nguyen	Pennsylvania State University College of Medicine	USMLE
66	66. Shani Kay Norberg	University of Minnesota Medical School - Minneapolis	USMLE/MN
67	67. Chelsea Rochelle Olson	Virginia Commonwealth University School of Medicine	USMLE
68	68. Cassandra Beshears Orellana	Kansas City University of Medicine & Biosciences	COMLEX/MO
69	69. Nicholas George Paron	Michigan State University College of Human Medicine	USMLE/MI
70	70. Jesseca Alexandra Paulsen	University of Alabama School of Medicine Birmingham	USMLE
71	71. Yehuda Edo Paz	Columbia University College of Physicians & Surgeons	USMLE/NY
72	72. Catalin Mihai Perju	Universitatea De Medicina Si Farmacie Grigore T. Popa	USMLE/IA
73	73. Emily Grace Poindexter	Emory University School of Medicine	USMLE
74	74. May Morgan Poundstone	University of Alabama School of Medicine Birmingham	USMLE
75	75. Mohammad H Rajaei	Yazd University of Medical Sciences	USMLE
76	76. Lakshmi Narasimha Ravipati	Gandhi Medical College, Secunderabad	USMLE/LA
77	77. Natali Vladimirovna Rolfe	Ternopol'skij Medical Institute	USMLE/NM
78	78. Tullia Price Rushton	University of Alabama School of Medicine Birmingham	USMLE
79	79. Martha Frances O'Hea Ruzic	University of South Alabama College of Medicine	USMLE
80	80. Christian Allen Sell	University of California, San Francisco School of Medicine	USMLE/CA
81	81. Qaisar A. Shah	Dow Medical College, University of Karachi	USMLE/PA
82	82. Lindsey Crosnoe Shipley	East Tennessee State University James H Quillen COM	USMLE
83	83. Mary Grabowsky Smithson	University of Alabama School of Medicine Birmingham	USMLE
84	84. Patrick Drexel Snyder	University of North Carolina School at Chapel Hill SOM	USMLE
85	85. Dacelin St. Martin	Universidad De Montemorelos	USMLE/CT
86	86. Brianna Marie Stroup	Texas Tech University Health Sciences Center SOM	USMLE
87	87. Jordan Elijah Tannenbaum	Florida Atlantic University Charles E. Schmidt COM	USMLE
88	88. David Michael Thompson	Lake Erie College of Osteopathic Medicine	COMLEX
89	89. Kevin Thomas Tice	Alabama College of Osteopathic Medicine	COMLEX
90	90. Jeffrey Michael Tisch	Lincoln Memorial University Debusk Col of Osteo Medicin	eCOMLEX
91	91. Ashton Wheeler Todd	University of South Alabama College of Medicine	USMLE
92	92. Canh Thanh Tran	Saint Georges University	USMLE/OH
93	93. Konstantin Tsymbalov	Des Moines University of Osteopathic Medical Center	COMLEX/FL



94	94. Hannah Jean Turner	University of Alabama School of Medicine Birmingham	USMLE
95	95. Taylor Alexi Twiggs	Indiana University School of Medicine Indianapolis	USMLE
96	96. Robert Collins Watson	University of Texas Southwestern Medical Center at Dallas	USMLE
97	97. Stephen Christopher Wheelis	Louisiana State University Medical Center In Shreveport	USMLE
98	98. Richard DeLamar Williams V	Medical University of South Carolina College of Medicine	USMLE
99	99. Robert Edward Wineski	University of Mississippi School of Medicine	USMLE
100	100. Holly Roxanna Wyatt	Baylor College of Medicine	USMLE/TX
101	101.Chunlai Zuo	Harbin Medical University	USMLE/NY
102	*Danna Daun Chung	U of Pennsylvania SOM	USMLE/MA
103	*Anthony C. Iwelunmor	Ross University	USMLE/GA
104	*Ramzyeh Ali Kaid	American University of the Caribbean	USMLE/OH
105	*David Michael McKalip	University of Florida College of Medicine	NBME/CA
106	*Kristen Janeil Sandefer	Saint Georges University	USMLE
107	Barry E. Brenner	Virginia Commonwealth University SOM	FLEX/VA

*Approved pending acceptance and payment of a non-disciplinary citation issued by the Board.

A motion was made by Commissioner Alsip with a second by Commissioner Morris to approve applicants number one through one hundred seven (1-107) for full licensure. The motion was approved by unanimous vote.

IMLCC LICENSE The Commission received as information a report of the Interstate

Medical Licensure Compact licenses that were issued October 16, 2019 through November 14,

2019. A copy of such report is attached hereto as Exhibit "A".

LIMITED LICENSE APPLICANTS

	Name	Medical School	Endorsen	nent Location	Туре
1.	Brian Scott Engel	TX Tech U Health Sciences Center SOM	LL/AL	Brookwood Path Res	R
2.	Bedour Yousef Jafar	Royal College of Surgeons in Ireland	LL/AL	USA Ped Res Prog	R
3.	Jennifer Moreira-Dinzey	Universidad Iberoamericana	LL/AL	Brookwood Pathology Res	R
4.	Ameera Elias Sheikh	Alfaisal University College of Medicine	LL/AL	USACOM Ped Res Progra	m R
5.	Charles Blakely Simpson	U of Texas Medical School at Galveston	LL/AL	UASOM Otolaryngology	DP

A motion was made by Commissioner Morris with a second by Commissioner Walburn to

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approve the Limited License applicants one through five (1-5). The motion was approved by unanimous vote.

SPECIAL PURPOSE

Name	Type of Practice	Location
 Juli Anne McCay Edwin Allen Raines John Allen Van Wagoner 	Associated Pathologists Anatomic Pathology Southwest Allergy and Asthma Center/Eczema Specialist	Michigan Tennessee Texas

A motion was made by Commissioner Christopher with a second by Commissioner Alsip to approve the Special Purpose applicants one through three (1-3). The motion was approved by unanimous vote.

CURRENT BUSINESS

None

REPORTS

<u>Physician Monitoring Report</u> The Commission received as information the monthly Physician Monitoring Report presented by RK Johnson.

<u>Judy Travis , M.D.</u> The Commission received as information an evaluation report on Dr. Travis.

<u>Phillip Saunders, M.D.</u> The Commission received as information a report from attorney Lenora Pate regarding Dr. Saunders. Wallace Mills was instructed to contact Lenora Pate and offer a retirement waiver in resolution of this pending case.

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<u>Duane King, D.O.</u> Based on a report from Physician Monitor, RK Johnson, a motion was made by Commissioner Morris with a second by Commissioner Walburn to issue an Order. The motion carried by unanimous vote. A copy of such Order is attached hereto as Exhibit "B".

APPLICANTS FOR REVIEW

<u>Pilar Bescos, M.D.</u> A motion was made by Commissioner Alsip to approve Dr. Bescos' application for an Alabama medical license. A second was received by Commissioner Morris and the motion was approved by unanimous vote.

<u>Cheryl Lynn Hamlin, M.D.</u> A motion was made by Commissioner Alsip with a second by Commissioner Christopher to approve Dr. Hamlin's application for an Alabama medical license. The motion carried by unanimous vote.

Mohammad Jendi, M.D. A motion was made by Commissioner Alsip with a second by Commissioner Christopher to approve Dr. Jendi's application for an Alabama medical license. The motion carried by unanimous vote.

<u>Craig C. Oliver, M.D.</u> A motion was made by Commissioner Christopher with a second by Commissioner Walburn to offer Dr. Oliver the option of accepting a restricted medical license or defer his application and set a hearing for December 20, 2019. The motion carried by unanimous vote. Commissioner Alsip recused himself from all deliberation and determination in this matter. Wallace Mills will correspond with Dr. Oliver with these options and notify the Commission at their next meeting of his decision.

REQUESTS

<u>Vinson M. Disanto, D.O.</u> The Commission received and considered a Cost Bill filed by the Alabama Board of Medical Examiners. A motion was made by Commissioner

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Christopher with a second by Commissioner Walburn to issue an Order. The motion carried by unanimous vote. A copy of such Order is attached hereto as Exhibit "C".

<u>Amjad I Butt, M.D.</u> The Commission received and considered a request from Dr. Butt for an alternative to the ACGME-approved fellowship stated in the Commission's Order of September 7, 2018. A motion was made by Commissioner Nagrodzki with a second by Commissioner Christopher to enter an Order. The motion carried by unanimous vote. A copy of such Order is attached hereto as Exhibit "D".

Michelle Jackson, M.D. The Commission received and considered a request from Dr. Jackson to lift the probation and restrictions currently on her medical license. A motion was made by Commissioner Alsip with a second by Commissioner Christopher to enter an Order. The motion carried by unanimous vote. A copy of such Order is attached hereto as Exhibit "E".

HEARINGS

<u>Herbert William Jones, M.D.</u> A Joint Settlement Agreement and Consent Order was received in lieu of a hearing in this case. A motion was made by Commissioner Alsip with a second by Commissioner Christopher to accept the Consent Order and Agreement. The motion carried by unanimous vote. A copy of such Order is attached hereto as Exhibit "F".

<u>William Ricardo Montiel, M.D.</u> A Motion To Dismiss was received in this case in lieu of the scheduled hearing. A motion was made by Commissioner Christopher with a second by Commissioner Morris to enter an Order. The motion carried by unanimous vote. A copy of such Order is attached hereto as Exhibit "G".

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ADDITIONAL

Joseph N.M. Ndolo, M.D. The Commission affirmed the Chairman's previous decision to delay the review of this record until the Commission's next meeting.

Mark Peter Koch, D.O. The Commission received a Request for Hearing filed by Dr. Koch. The Commission tabled any decision on this request until the next meeting.

Edith H. McCreadie, M.D. The Commission considered a payment plan presented by Dr. McCreadie. A motion was made by Commissioner Christopher with a second by Commissioner Walburn to enter an Order. The motion carried by unanimous vote. A copy of such Order is attached hereto as Exhibit "H".

<u>Willie J. Chester, D.O.</u> The Commission received an Agreement and Consent Order submitted by the Alabama Board of Medical Examiners which reinstates Dr. Chester's Certificate of Qualification. A motion was made by Commissioner Christopher with a second by Commissioner Hill to set a hearing for December 20, 2019 in this matter. The motion carried by unanimous vote.

Ronald Tai Young Moon, Jr., D.O. The Commission received an Administrative Complaint And Petition For Summary Suspension filed by the Alabama Board of Medical Examiners. A motion was made by Commissioner Alsip to enter an Order. The motion carried by unanimous vote. A copy of such Order is attached hereto as Exhibit "I" .

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<u>George E.S. Hipp, M.D.</u> The Commission received an Administrative Complaint And Petition For Summary Suspension filed by the Alabama Board of Medical Examiners. A motion was made by Commissioner Alsip to enter an Order. The motion carried by unanimous vote. A copy of such Order is attached hereto as Exhibit "J".

PUBLIC MEETING NOTICE: Chairman Smith announced the next meeting of the Alabama Medical Licensure Commission for Friday, December 20, 2019 at 9:00 a.m. A motion was made by Commissioner Christopher to adjourn the public meeting. The motion was adopted by unanimous vote.

Meeting Adjourned at 10:15 a.m.

EXECUTIVE SESSION #2 - (Commission members only)

Chairman Smith requested a motion to enter into executive session to discuss the general reputation and character, physical condition, professional competence, or mental health of an individual. A motion was made by Commissioner Christopher with a second by Commissioner Morris to enter into executive session. The motion carried by unanimous approval. The Commission entered into executive session at 10:16 a.m.

GEORGE C. SMITH, SR., M.D., Chairman Alabama Medical Licensure Commission

Karen H. Silas, Executive Assistant, Recording Secretary

Date Signe

EXHIBIT A

IMLC Licenses Is	sued Octobe	er 16, 1	2019 -	Novemb	er 14, 2019
Name	License_Type	Lic_no	Status	Issue_date	State of Principal Licensure
Davender Bhardwaj	MD	38760	Active	10/18/2019	Illinois
Reza Emami	MD	38761	Active	10/21/2019	Michigan
Veronica Y Ruvo	DO	2092	Active	10/23/2019	Arizona
Michelle Bez	DO	2097	Active	10/30/2019	Arizona
Boyd Calvin Marts	MD	38782	Active	10/30/2019	North Dakota
Nitin Kukkar	MD	38785	Active	11/4/2019	Illinois
Peter Keahi Bryant-Greenwood	MD	38788	Active	11/6/2019	Colorado
Tyler Michelle Neitlich	MD	38791	Active	11/7/2019	Nebraska
Tina Yin Chang	MD	38795	Active	11/13/2019	Washington
Sara Luisa Roth	DO	2099	Active	11/14/2019	Michigan

EXHIBIT B

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

ALABAMA STATE BOARD OF MEDICAL) EXAMINERS,)

Case No. 18-058

Complainant,

vs.

DUANE WHITBY KING, M.D.

Respondent.

ORDER

This matter comes before the Medical Licensure Commission of Alabama upon the expiration of the one hundred eighty-day deadline for Dr. King to take certain actions. The Commission's Order of April 22, 2019 required, as a condition of continued licensure on a probationary status, that Dr. King submit to a neuropsychological evaluation and cause a report of the findings, conclusions, and recommendations to be submitted to the Commission; that he complete two continuing education classes; and that he should pay administrative fines in the amount of fifteen thousand dollars (\$15,000.00), among other things.

The Commission has received no report, payment, or other communication from Dr. King. The Commission's investigator assigned to monitor this case has been unable to contact Dr. King despite repeated attempts, and the Commission's attorney sent an electronic mail inquiry to Dr. King's attorney, but received no response. As required by its Order of April 22, 2019, the Commission finds that Dr. King's probation is revoked by operation of that Order. The license to practice medicine in the state of Alabama issued to Duane Whitby King, M.D. is, therefore, REVOKED. Done this **29** day of November, 2019.

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GEORGE C. SMITH, SR., M.D., Chairman Alabama Medical Licensure Commission

EXHIBIT C

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

ALABAMA STATE BOARD OF MEDICAL) EXAMINERS,)

Complainant,

Case No. 19-140

VS.

VINSON M. DISANTO, D.O.

Respondent.

ORDER

This cause came before the Medical Licensure Commission of Alabama on the submission of the Bill of Costs by the Alabama Board of Medical Examiners. Respondent filed no objection to the Bill of Costs submitted. The Commission finds that the costs, fees, and expenses included in the Bill of Costs are necessary and reasonable to the prosecution of this case.

It is, therefore, ORDERED that Respondent shall pay costs to Complainant in the amount of \$3,167.64 in accordance with the requirements of the Final Order entered in this case.

Done this 29 day of 100, 2019.

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GEORGE C. SMITH, SR., M.D., Chairman Alabama Medical Licensure Commission

EXHIBIT D

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

ALABAMA STATE BOARD OF MEDICAL) EXAMINERS,)
Complainant,
v.)
AMJAD I. BUTT, M.D.
Respondent.
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Case No. 13-005

ORDER ON REQUEST TO LIFT RESTRICTIONS

This cause came before the Medical Licensure Commission of Alabama on the request of Dr. Butt to lift the restrictions on his license which were instituted by order of the Commission dated July 31, 2015 and amended by order of October 13, 2016. The Commission finds that the request is due to be and is hereby DENIED.

Done this 29 day of Vovember, 2019.

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GEORGE C. SMITH, SR., M.D., Chairman Alabama Medical Licensure Commission

EXHIBIT E

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

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ALABAMA STATE BOARD OF MEDICAL EXAMINERS,

Complainant,

v.

Case No. 15-355

MICHELLE SNYDER JACKSON, M.D.,

Respondent.

ORDER

This matter came before the Commission on Respondent's request that her probation be lifted. The Commission finds that the request is due to be and is hereby DENIED.

Dr. Jackson is ordered to submit a payment plan within twenty (20) days of this Order setting out a proposed payment plan for approval by the Commission which proposes monthly installments for the payment of the fines assessed in this case. Such payment plan shall not exceed two years.

ORDERED this the <u>29</u>th day of November, 2019.

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GEORGE C. SMITH, SR., M.D., Chairman Alabama Medical Licensure Commission

ALABAMA STATE BOARD OF MEDICAL EXAMINERS,

Complainant,

VS.

HERBERT WILLIAM JONES, M.D.

Respondent.

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

CASE NO. 19-163

JOINT SETTLEMENT AGREEMENT

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COME NOW, the Complainant, the Alabama State Board of Medical Examiners ("the Board"), through counsel, and the Respondent, Herbert William Jones, M.D., through counsel ("the Parties"), and respectfully submit this Joint Settlement Agreement to the Medical Licensure Commission ("the Commission"), in anticipation of a hearing being held on the appropriate discipline under Medical Licensure Commission Administrative Rule 545-X-5-.03(6)(a). In support, the Parties state as follows:

STIPULATION

1. Dr. Jones admits the allegations made in paragraphs 1-12 in the Administrative Complaint and Petition for Summary Suspension of License and acknowledges that the factual allegations contained in paragraphs 1-12 of the Administrative Complaint constitute grounds for disciplinary action.

2. Dr. Jones stipulates that the factual allegations contained in paragraphs 1-12 of the Administrative Complaint may be used by the Commission to support a finding that he violated Ala. Code §§ 34-24-360(15), having had disciplinary action taken by another state against his license to practice medicine in that state, and (19)a., being unable to practice medicine 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.

3. Dr. Jones acknowledges the authority of the Commission to exercise jurisdiction in this matter, consents to the imposition of disciplinary sanctions against his license to practice medicine in Alabama based on these facts, and agrees to be bound by the findings of fact, conclusions of law, and terms and conditions of this joint settlement agreement. Dr. Jones waives any further findings of fact and conclusions of law with respect to the above-styled matter and waives any right to appeal from the Joint Settlement Agreement and Commission order.

4. Dr. Jones waives his right to an administrative hearing before the Commission, his right to be represented at such hearing by counsel of his choice and agrees to waive any and all rights to further notice and formal adjudication of charges arising from the facts stated herein.

5. Dr. Jones understands and acknowledges that the Joint Settlement Agreement and Commission Order, if approved and executed by the Commission, shall constitute a public record under the laws of the state of Alabama and will be reported to the National Practitioner Data Bank ("NPDB"), and the Federation of State Medical Boards disciplinary data bank.

6. It is stipulated and agreed between the parties that this Joint Settlement Agreement be submitted to the Commission, and that disciplinary recommendations made by either party shall not be binding on the Commission. If the Respondent elects to withdraw from the Joint Settlement Agreement, any admissions by Dr. Jones in this Joint Settlement Agreement shall not be binding upon him, and the consideration by the Commission of the Joint Settlement Agreement and the settlement memorandums referred to herein shall not be prejudicial to the rights of Dr. Jones to receive a fair and impartial hearing.

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STIPULATED AND AGREED this 20th day of Novamber, 2019.

Acknowledgements

Respondent's Understanding

I have read and understand the provisions of this Agreement. I have discussed it with my lawyer and agree and approve of all the provisions of this Agreement, both individually and as a total binding agreement. I have personally and voluntarily signed this Agreement for the express purpose of entering into this Agreement with the Board.

HERBERT WILLIAM JONES, M.D.

Counsel's Acknowledgement

I have discussed this case with my client in detail and have advised my client of all my client's rights and possible defenses. My client has conveyed to me that my client understands this Agreement and consents to all its terms. I believe this Agreement and the disposition set forth herein is appropriate under the facts of this case and is in accord with my best judgment.

11/19/19 DATE

Counsel for Respondent

Board's Acknowledgement

I have reviewed this matter and this Agreement and concur that the disposition set forth herein is appropriate and adequately protects the public's health and safety.

19 DATE

J MATTHEW HART Associate General Counsel for the Alabama Board of Medical Examiners

ALABAMA STATE BOARD OF MEDICAL EXAMINERS,
Complainant,
vs.
HERBERT WILLIAM JONES, M.D.
Respondent.

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

CASE NO. 19-163

CONSENT ORDER

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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 July 22, 2019, and pursuant to a signed Joint Settlement Agreement entered into by the Board of Medical Examiners (the "Board") and the Respondent, Herbert William Jones, M.D., license number SP.139, on the *Lot* day of *November*, 2019. The Commission hereby finds that it has jurisdiction of the Administrative Complaint and of the parties hereto pursuant to Ala. Code § 34-24-361.

Based on the Joint Settlement Agreement of the parties, which is incorporated by reference as if fully set forth herein, the Commission finds that the Respondent, Herbert William Jones, M.D., has committed acts which violate Ala. Code §§ 34-24-360(15) and (19)a.

The Commission concludes, as a matter of law, that the foregoing facts constitute violations of Ala. Code §§ 34-24-360(15) and (19)a.

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

 Dr. Jones's special purpose license to practice medicine in Alabama across state lines, identified by license number SP.139, is hereby REVOKED;

- 2) The revocation of Dr. Jones's medical license is STAYED;
- Dr. Jones's medical license is placed on INDEFINITE PROBATION, with the following conditions:
 - a) Dr. Jones shall sign a lifetime Out of State Assistance Agreement with the Alabama Physician Health Program ("APHP") and a Participation Agreement and Monitoring Plan with the Minnesota Health Professionals Services Program ("HPSP");
 - b) Dr. Jones shall comply with all recommendations, terms, conditions, or instructions made by APHP and HPSP under his agreements;
 - c) Dr. Jones shall disclose to APHP all medical evaluation and treatment records requested by APHP and sign all waivers, forms, and documents necessary to effect disclosure;
 - d) Dr. Jones shall fully comply with all terms, limitations, and conditions imposed by the Minnesota Board of Medical Practice (the "Minnesota Board") in its Order of September 14, 2019, which is incorporated by reference as if fully set forth herein, and he shall not exceed or violate them through his practice of medicine in Alabama;
 - e) Any violation of Minnesota Order of September 14, 2019, as determined by the Minnesota Board, shall be deemed a violation under this Order. Dr. Jones shall report to the Commission and to the Board any violation as determined or alleged by the Minnesota Board within forty-eight (48) hours of the violation;
 - f) Dr. Jones shall, within forty-eight (48) hours of issuance, provide the Commission and the Board with a copy of any document issued by the Minnesota Board which

alters the conditions of his license to practice medicine in Minnesota, including, but not limited to, reinstatement of his Minnesota medical license without conditions; and

- g) Dr. Jones shall immediately cease the practice of medicine if, at any time, he is advised or directed to do so by APHP and HPSP.
- 4) Dr. Jones shall pay a fine of five hundred dollars (\$500) each for his violations of Ala. Code §§ 34-24-360(15) (disciplinary action taken by another state) and 34-24-360(19)a. (unable to practice with reasonable skill and safety due to illness, inebriation, or excessive use of a substance), for a total of one thousand dollars (\$1,000) within 30 days of the entry of this Order.

IT IS FURTHER ORDERED that Dr. Jones is required to show complete compliance with this Order before any petition for modification or relief from his probation can be filed. Dr. Jones consents and agrees that the Commission may dismiss any such petition without a hearing if the petition is not accompanied by a report in writing from APHP advocating for the lifting of his probation.

At any time prior to the expiration or termination of this Consent Order, the Alabama Board of Medical Examiners may file a petition for revocation of Dr. Jones's medical license upon a showing of probable cause that Dr. Jones has violated one or more of his terms of probation. Any failure by Dr. Jones to comply with any or all of the conditions imposed by this Consent Order shall be considered a violation of Ala. Code §34-24-360(2). Upon receipt of a petition for revocation, the Commission shall set a hearing and provide notice to Dr. Jones at least twenty (20) days prior to the date set for the hearing. The hearing shall be considered a contested case under

the Alabama Administrative Procedures Act and shall be held in a manner consistent with Medical Licensure Commission Rules 545-X-3-.01, *et seq*.

ORDERED this 12 day of ____ N, 2019.

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GEORGE C. SMITH, SR., M.D., Chairman Medical Licensure Commission of Alabama

EXHIBIT G

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

ALABAMA STATE BOARD OF MEDICAL) EXAMINERS,) Case No. 11-031 Complainant,) Case No. 13-003

v.

WILLIAM RICARDO MONTIEL, M.D.

Respondent.

ORDER

This matter comes before the Medical Licensure Commission of Alabama on the Motion to

Dismiss or To Continue in which Dr. Montiel requests the Commission to dismiss the probation

compliance hearing. The Commission finds that the motion is due to be and is hereby GRANTED.

The probation compliance hearing shall be and is hereby canceled.

Done this 29 day of November, 2019.

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GEORGE C. SMITH, SR., M.D., Chairman Alabama Medical Licensure Commission

EXHIBIT H

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

ALABAMA STATE BOARD OF MEDICAL) EXAMINERS,)

Complainant,

Case No. 17-297

vs.

EDITH GUBLER MCCREADIE, M.D.

Respondent.

ORDER

This cause came before the Medical Licensure Commission of Alabama on the submission by Dr. McCreadie of her Proposed Payment Plan. The Commission finds that the payment plan is due to be and is hereby APPROVED. Dr. McCreadie shall pay the fines ordered in this in periodic monthly installments of at least \$1,130.37 until such time as the fines ordered in this case are paid in full. The first of such payments shall be made on or before December 31, 2019.

Done this 26 day of ,2019.

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GEORGE C. SMITH, SR., M.D., Chairman Alabama Medical Licensure Commission

EXHIBIT I

ALABAMA STATE BOARD OF MEDICAL EXAMINERS,

Complainant,

vs.

RONALD TAI YOUNG MOON, JR., D.O.,

Respondent.

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

CASE NO. 2019-008

ORDER TEMPORARILY SUSPENDING LICENSE AND SETTING HEARING

Upon the verified Administrative Complaint of the Alabama State Board of Medical Examiners, and pursuant to the authority of Ala. Code §§ 34-24-361(f) and 41-22-19(d), it is the ORDER of the Commission that the license to practice medicine in Alabama, license certificate number DO.419, of RONALD TAI YOUNG MOON, JR., D.O., be, and the same is hereby, immediately suspended. RONALD TAI YOUNG MOON, JR., D.O., is hereby ORDERED and DIRECTED to surrender the said license certificate to <u>FUWIN</u>, a duly authorized agent of the Medical Licensure Commission. RONALD TAI YOUNG MOON, JR., D.O., is hereby ORDERED to immediately CEASE and DESIST from the practice of medicine in the State of Alabama until such time as the Administrative Complaint of the Alabama State Board of Medical Examiners shall be heard by the Commission and a decision rendered thereon.

This action is made consistent with the Rules and Regulations of the Board of Medical Examiners and the Medical Licensure Commission and Ala. Code § 34-24-361(f), based upon the request of the Alabama State Board of Medical Examiners upon the Board's finding and certification that the Board presently has evidence in its possession that the continuance in practice of RONALD TAI YOUNG MOON, JR., D.O., may constitute an immediate danger to his patients and/or the public.

It is the further ORDER of the Medical Licensure Commission that the Administrative Complaint of the Alabama State Board of Medical Examiners be, and the same is hereby, set for hearing on the <u>26</u> day of <u>FebMan</u>, <u>2020</u>, at <u>9:30</u> e.m., at the offices of the Medical Licensure Commission, 848 Washington Avenue, Montgomery, Alabama.

RONALD TAI YOUNG MOON, JR., D.O., is ORDERED to appear before the Commission at the aforesaid time and date to answer the allegations of the Administrative Complaint filed by the Alabama State Board of Medical Examiners.

It is the further ORDER of the Commission that a copy of the verified Administrative Complaint of the Alabama State Board of Medical Examiners and a copy of this order shall be forthwith served upon RONALD TAI YOUNG MOON, JR., D.O., by personally delivering the same to him at his office or at his residence or such place as he may be found in the State of Alabama, or by certified mail, return receipt requested, to his last known address if he cannot be found in the State of Alabama. The Commission further directs that the service of process shall be made by Edwin Rogers, who is designated as the duly authorized agent of the Medical Licensure Commission.

It is further ordered that the parties and their attorneys immediately check their calendars for scheduling conflicts. No requests for continuances based upon scheduling conflicts of attorneys or parties will be considered unless such request is made forty-five (45) days prior to the scheduled hearing date. ORDERED at Montgomery, Alabama, this _____ day of ____ , 2019. 104

George C. Smith, Sr., M.D.

Medical Licensure Commission of Alabama

ALABAMA STATE BOARD OF MEDICAL EXAMINERS,

Complainant,

v.

GEORGE E. S. HIPP, M.D.

Respondent.

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

CASE NO. 2018-266

ORDER TEMPORARILY SUSPENDING LICENSE AND SETTING HEARING

Upon the verified Administrative Complaint of the Alabama State Board of Medical Examiners, and pursuant to the authority of Ala. Code §§ 34-24-361(f) and 41-22-19(d), it is the ORDER of the Commission that the license to practice medicine in Alabama, license certificate number MD.28785, of GEORGE E. S. HIPP, M.D., be, and the same is hereby, immediately suspended. GEORGE E. S. HIPP, M.D., is hereby ORDERED and DIRECTED to surrender the said license certificate to \underline{PANdy} \underline{PiXan} , a duly authorized agent of the Medical Licensure Commission. GEORGE E. S. HIPP, M.D., is hereby ORDERED to immediately CEASE and DESIST from the practice of medicine in the State of Alabama until such time as the Administrative Complaint of the Alabama State Board of Medical Examiners shall be heard by the Commission and a decision rendered thereon.

This action is made consistent with the Rules and Regulations of the Board of Medical Examiners and the Medical Licensure Commission and Ala. Code § 34-24-361(f), based upon the request of the Alabama State Board of Medical Examiners upon the Board's finding and certification that the Board presently has evidence in its possession that the continuance in practice of GEORGE E. S. HIPP, M.D. may constitute an immediate danger to his patients and/or the public.

It is the further ORDER of the Medical Licensure Commission that the Administrative Complaint of the Alabama State Board of Medical Examiners be, and the same is hereby, set for hearing on the <u>26</u> day of <u>February</u>, <u>2020</u>, at <u>9:30</u> a.m., at the offices of the Medical Licensure Commission, 848 Washington Avenue, Montgomery, Alabama.

GEORGE E. S. HIPP, M.D., is ORDERED to appear before the Commission at the aforesaid time and date to answer the allegations of the Administrative Complaint filed by the Alabama State Board of Medical Examiners.

It is the further ORDER of the Commission that a copy of the verified Administrative Complaint of the Alabama State Board of Medical Examiners and a copy of this order shall be forthwith served upon GEORGE E. S. HIPP, M.D., by personally delivering the same to him at his office or at his residence or such place as he may be found in the State of Alabama, or by certified mail, return receipt requested, to his last known address if he cannot be found in the State of Alabama. The Commission further directs that the service of process shall be made by <u>KANAY DIKAN</u>, who is designated as the duly authorized agent of the Medical Licensure Commission.

It is further ordered that the parties and their attorneys immediately check their calendars for scheduling conflicts. No requests for continuances based upon scheduling conflicts of attorneys or parties will be considered unless such request is made forty-five (45) days prior to the scheduled hearing date. ORDERED at Montgomery, Alabama, this <u>22</u> day of <u>November</u>, 2019.

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George C. Smith, Sr., M.D., Chairman Medical Licensure Commission of Alabama