MINUTES

Monthly Meeting

MEDICAL LICENSURE COMMISSION OF ALABAMA

Meeting Location: 848 Washington Avenue Montgomery, Alabama 36104

November 22, 2022

MEMBERS PRESENT IN PERSON

MEMBERS NOT PRESENT

Craig H. Christopher, M.D., Chairman Jorge Alsip, M.D., Vice-Chairman Kenneth W. Aldridge, M.D. Pamela Varner, M.D. Paul M. Nagrodzki, M.D. L. L. Daniel Morris, Esq. Gary Hill, D.O. Howard J. Falgout, M.D.

OTHERS PRESENT

Karen H. Silas, Operations Director (Recording)
Nicole Chapman, Administrative Assistant (Recording)
Aaron Dettling, MLC Legal Counsel
Heather Lindemann, Licensing Assistant
Winston Jordan, Technology
Roland Johnson, Physician Monitoring
Wilson Hunter, BME Legal Counsel
Blake Henson, BME Legal Counsel
William Perkins, BME Executive Director

SECURITY

Greg Hardy
Scott Sides
Becky Daniels
Ben Schlemmer
Anthony Crenshaw
Stephen Lavender
Buddy Chavez

Call to Order: 9:06 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, Craig H. Christopher,

M.D. convened the monthly meeting of the Alabama Medical Licensure Commission.

OLD BUSINESS

MINUTES Commissioner Nagrodzki made a motion that the Minutes of October 25, 2022 be approved. A second was made by Commissioner Morris. The motion was approved by unanimous vote.

SPECIAL MEETING MINUTES Commissioner Alsip made a motion that the Minutes of the special called meeting held on October 21, 2022 be approved. A second was made by Commissioner Morris. The motion was approved by unanimous vote.

NEW BUSINESS

FULL LICENSURE APPLICANTS

	<u>Name</u>	Medical School	Endorsement
1.	Noelle Catherine Ahmed	University of South Alabama College of Medicine	USMLE
2.	Sara Marie Allison	Oakland University William Beaumont School of Medicine	USMLE
3.	Edgar Ali Alvarado-Munoz	University of Texas Medical School at Galveston	USMLE
4.	Niraj Ashok Arora	N H L Municipal Medical College, Gujarat University	USMLE/PA
5.	Amanda Ivy Atkins	University of South Alabama College of Medicine	USMLE
6.	Joshua Baalwa	Makerere University	USMLE/TX
7.	Rachel Renee Banks	University of Kansas School of Medicine	USMLE/NC
8.	Nicholas Tyler Beavers	Eastern Virginia Medical School	USMLE
9.	Jose Benevides de Mesquita Neto	Uni Federal do CearÃ; Faculdade de Medicina Fortaleza	USMLE/MI
	(1940)		

	Name	Medical School	Endorsement
10.	Travis Curran Berry	Touro U College of Osteopathic Medicine	COMLEX
11.	Jamie Bice	University of Alabama School of Medicine Birmingham	USMLE
12.	Jonathan Reid Black	University of Mississippi School of Medicine	USMLE
13.	Shem Kearney Blackley IV	Wake Forest University School of Medicine	USMLE
14.	Charles Hymric Bowen	Saint Louis University School of Medicine	NBME/MO
15.	Katherine Boyd Vintson	Edward Via College of Osteopathic Medicine, Carolinas Campus	COMLEX
16.	Callie Bennett Brooks	Alabama College of Osteopathic Medicine	COMLEX
17.	Michael Robert Brouner	Univ of Tennessee Health Science Center College of Medicine	USMLE
18.	Harvey Dewayne Browning	Edward Via College of Osteopathic Medicine, Carolinas Campus	COMLEX
19.	Zachary Robert Burns	University of Alabama School of Medicine Birmingham	USMLE
20.	Daniela Caballero Varona	University of Puerto Rico School of Medicine	USMLE/FL
21.	Caleb Blake Cantrell	Univ of Tennessee Health Science Center College of Medicine	USMLE
22.	Chellise Simone Cato	St Georges University of London	USMLE/NJ
23.	Latanya Renee Chapman	American Univ of Integrative Sci of Barbados School of Medicine	USMLE/GA
24.	Vanessa Emiezo Dania	Meharry Medical College School of Medicine	USMLE
25.	Jessica Tirzah Dinsmore	Augusta University	USMLE
26.	Sawyer Steven Donald	Alabama College of Osteopathic Medicine	COMLEX
27.	John Brett Doty	Univ of Tennessee Health Science Center College of Medicine	USMLE
28.	Mohannad Fareed Dugum	Jordan University of Science & Technology	USMLE/OH
29.	Trent Corum Edwards	Lincoln Memorial Univ Debusk College of Osteopathic Med	COMLEX
30.	Kate Michelle Essad	American University of The Caribbean	USMLE/NH
31.	John Willis Evans	Rocky Vista University College of Osteopathic Medicine	COMLEX/NE
32.	Syed Soheb Fatmi	Baqai Medical & Dental College	USMLE/NH
33.	Kaitlin Brooke Firquin	Univ of Pikeville Kentucky College of Osteopathic Medicine	COMLEX
34.	Yi-Jen Fong	Loyola University of Chicago Stritch School of Medicine	USMLE/CA
35.	Jordan Barton Garcia	University of Texas Medical School at San Antonio	USMLE
36.	Caroline Phillips Garraway	University of Mississippi School of Medicine	USMLE
37.	Kevin Ross Giattina	Edward Via College of Osteopathic Medicine, Carolinas Campus	COMLEX
38.	Erin Alexis Gillaspie	University of Miami Miller School of Medicine	USMLE/SC
39.	Caroline Tredway Goldin	Emory University School of Medicine	USMLE/CO
40.	Angel Daniel Gonzalez Rodriguez	Universidad de Ciencias Medicas de la Habana	USMLE
41.	Jeffrey Brewer Graham	University of Arkansas College of Medicine	USMLE/NC
42.	Colin Michael Grant	Philadelphia College of Osteopathic Medicine	COMLEX/VA
43.	Ghali Ghassan Haddad	University of Mississippi School of Medicine	USMLE
44.	Kaitlyn Leigh Hall	University of Texas - Houston Medical School	USMLE
45.	Jingnan Han	Peking University Health Science Center	USMLE
46.	Aaron Ezra Harper	Saba University School of Medicine	USMLE/GA
	Alexander Abraham Hedaya	Emory University School of Medicine	USMLE
	Gregory Michael Heidel	Meharry Medical College School of Medicine	USMLE
	Lauren Ashley Hopkins	Alabama College of Osteopathic Medicine	COMLEX
50.	Samantha Edwards Howell	Texas Tech University Health Sciences Center School of Medicine	USMLE



	<u>Name</u>	Medical School	Endorsement
51.	Shenche Hshieh	Rosalind Franklin University of Medicine and Science	USMLE/RI
52.	Muhan Hu	University of Alabama School of Medicine Birmingham	USMLE
53.	John Nelson Huffman	University of Mississippi School of Medicine	USMLE
54.	Mohammad Saleem Ibrahim	Dow Medical College, University of Karachi	USMLE/NJ
55.	Thierry Olivier Jacquemin	Nova Southeastern University College of Medicine	COMLEX/FL
56.	Michael Chengdin Jang	University of Toledo College of Medicine	USMLE/CA
57.	Nirmal Joshi	Ross University	COMLEX/IL
58.	Taylor Jieun Jung	LSU Medical Center Shreveport	USMLE/OK
59.	Ryan Kervin	University of Alabama School of Medicine Birmingham	USMLE
60.	Taha Keskin	Hacettepe University	USMLE
61.	Aladdin Khalaf	University of Texas Southwestern Medical Center at Dallas	USMLE
62.	Katherine Elizabeth Laudun	Medical University of South Carolina College of Medicine	USMLE
63.	Grace Mee-Jeung Lee	Virginia Tech Carilion School of Medicine	USMLE
64.	Elizabeth Hale Lockett	Augusta University	USMLE
65.	Tiffany Danielle Loftus	Ohio State University College of Medicine & Public Health	USMLE
66.	Mark Ryan Mangiapane	Nova Southeastern University College of Medicine	COMLEX/MI
67.	Benjamin Mark Matthews	University of Mississippi School of Medicine	USMLE
68.	Benjamin Joseph McCafferty	University of Alabama School of Medicine Birmingham	USMLE
69.	Garrett Reid McClenny	University of South Alabama College of Medicine	USMLE
70.	Christopher Paul McNair	Edward Via College of Osteopathic Medicine-Auburn campus	COMLEX
71.	Chad Michael Miller	Ohio State University College of Medicine & Public Health	USMLE/OH
72.	Chelsea Ross Miller	Univ of Tennessee Health Science Center College of Medicine	USMLE
73.	Seema Z. Mir	Virginia Commonwealth University School of Medicine	USMLE
74.	Caroline Marie Molins	Universidad Central Del Caribe School of Medicine	USMLE/FL
75.	Shezaan Momin	Texas Tech Univ School of Medicine	USMLE
76.	Nina Sanjeev Navalkar	Mercer University School of Medicine	USMLE
77.	Peter Tiendung Nguyen	Virginia Commonwealth University School of Medicine	USMLE/CA
78.	Mahrukh Sadaf Nisar	Northeastern Ohio Universities	USMLE/OH
79.	Alexander Perry Nocera	University of Alabama School of Medicine Birmingham	USMLE
80.	John Corbin Norton	University of Arkansas College of Medicine	USMLE
81.	Kyle Yuichi Ogami	University of Toledo College of Medicine	USMLE/CA
82.	Netochukwu Akinkunmi Okafor	University of Port Harcourt College of Health Sciences	USMLE/TX
83.	Lauren Arielle Pace	University of Maryland School of Medicine	USMLE
84.	David A Pasternak	State University of New York Upstate Medical University	USMLE
85.	Nirav Patel	Maharaja Sayajirao University of Baroda	USMLE
86.	Jose Javier Pratts-Emanuelli	University of Puerto Rico School of Medicine	USMLE/OH
87.	Amanullah Rana	University of Health Sciences Lahore	USMLE
88.	Rafael Andres Raya	University of Texas Rio Grande Valley School of Medicine	USMLE
89.	Anna Swigert Riess	Tulane University School of Medicine	USMLE
90.	Kristin C. Robinson	University of New England College of Osteopathic Medicine	COMLEX
91.	Daniel Edward Seay	University of Texas Medical School at Galveston	USMLE

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<u>Name</u>	Medical School	Endorsement
92. Jonothon Harold Segars	Edward Via College of Osteopathic Medicine-Auburn campus	COMLEX
93. Tarin Singhapakdi	Philadelphia College of Osteopathic Medicine	COMLEX
94. Josiah David Smiley	University of Michigan Medical School	USMLE/TX
95. Jessica Ellen Southwood	Medical College of Wisconsin	USMLE/WI
96. Joel Sullivan	Edward Via College of Osteopathic Medicine-Auburn campus	COMLEX
97. Ravi Bhupatlal Sutaria	St Georges University of London	USMLE/NY
98. Gaurav Thakur	Michigan State University College of Osteopathic Medicine	COMLEX/CA
99. Emmitt Lee Turner	East Tennessee State Univ James H Quillen College of Medicine	USMLE
100. Praveen Venkatachalam	Rajah Muthiah Medical School	USMLE/MI
101.Shannon Jean Robinson Williams	Univ of North Carolina School at Chapel Hill School of Medicine	USMLE/FL
102.Aashka Raju Patel	University of Alabama School of Medicine Birmingham	UMLE
103.*Valerie Ann Clemons	University of South Alabama College of Medicine	NBME/GA
104.*Gavin Fang Liu	Lincoln Memorial Univ Debusk College of Osteo Med	COMLEX
105.*Jenny So	Ross University	USMLE/VA
106.*Michael Owens Tyler	University of South Carolina College of Medicine	USMLE
107. Victor J Atun	Universidad Peruana Cayetano Heredia	FLEX/DC

^{*}Approved pending acceptance and payment of a NDC issued by BME.

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

IMLCC Report

The Commission received as information a report of the licenses that were issued via the Interstate Medical Licensure Compact from October 1, 2022 through October 31, 2022. A copy of this report is attached as Exhibit "A". Additionally, a report was presented by Commissioner Alsip regarding elections and rule changes resulting from the 2022 IMLC Annual Meeting held in Gulf Shores and hosted by Alabama. At the annual meeting, Karen Silas was elected to serve as Vice Chairman of the IMLC for the upcoming year.

CAL

APPLICANTS FOR REVIEW

Mishi Bhushan, M.D. A motion was made by Commissioner Nagrodzki with a second by Commissioner Morris to approve Dr. Bhushan's licensure application, restricting her practice to the confines of the University of Alabama at Birmingham Department of Pathology Residency Program. This motion was approved by unanimous vote.

REQUESTS

Oscar D. Almeida, M.D. The Commission reconsidered a request from the previous month from Dr. Almeida for approval of a practice plan. A copy of Dr. Almeida's Acumen Assessments report was also considered by the Commission. A motion was made by Commissioner Nagrodzki with a second by Commissioner Morris to deny Dr. Almeida's request to practice telemedicine. The Commission will reaffirm with Dr. Almeida that any practice plan for consideration should incorporate all of the requirements of the Commission's order of April 21, 2022. The motion was approved by unanimous vote. A copy of the Commission's order is attached as Exhibit "B".

Leslye H. Pace, M.D. The Commission received a request from Dr. Pace for midyear conversion to inactive license status. A motion was made by Commissioner Nagrodzki with a second by Commissioner Alsip to grant Dr. Pace's request. The motion was approved by unanimous vote.

REPORTS

Physician Monitoring Report The Commission received as information a physician monitoring report dated November 17, 2022. Roland Johnson gave additional verbal updates and recommendations on Gary Bullock, D.O., Linda Clemons, M.D. and Sharon Griffitts, M.D.

Gary Bullock, D.O. Dr. Bullock was reported as noncompliant with his payment plan established in a previous order of the Commission. A motion was made by Commissioner Morris with a second by Commissioner Alsip to place a renewal hold on Dr. Bullock's medical license until he brings his payments current. The motion was approved by unanimous vote.

Linda Clemons, M.D. Dr. Clemons was reported as noncompliant on the physician monitoring report due to nonpayment of the administrative fine assessed in a Joint Settlement Agreement and Consent Order previously issued by the Commission. Additionally, the Commission received a request for a payment plan filed by Dr. Clemons for her administrative fine that is currently past due in this case. A motion was made by Commissioner Nagrodzki with a second by Commissioner Aldridge to approve Dr. Clemons' request, and order that a payment of five hundred dollars is to be made monthly starting in December 2022, with the total to be paid in full within 10 months of this order. The motion was approved by unanimous vote. A copy of the Commission's order is attached as Exhibit "C".

Sharon Griffitts, M.D. Dr. Griffitts was reported as noncompliant on the physician monitoring report due to nonpayment of the administrative fine assessed in a Joint Settlement Agreement and Consent Order previously issued by the Commission. Additionally, the Commission received a request for a payment plan filed by Dr. Griffitts for her administrative fine that is currently past due in this case. A motion was made by Commissioner Aldridge with a second by Commissioner Morris to approve Dr. Griffitts' request. A payment of five hundred dollars is ordered to be submitted monthly starting in December 2022, with the total to be paid in full within 10 months of this order. An initial five hundred dollar payment has been received so the automatic renewal hold on Dr. Griffitts' medical license will be removed allowing her to renew her medical license for 2023. The motion was approved by unanimous vote. A copy of the Commission's order is attached as Exhibit "D".

ADMINISTRATIVE FILINGS

O'Neil Culver, M.D. A motion was made by Commissioner Alsip with a second by Commissioner Morris to accept the Administrative Complaint, Joint Settlement Agreement and Consent Order presented in this case. The motion carried by unanimous vote. A copy of the consent order is attached hereto as Exhibit "E".

Edwin L. Kelsey, M.D. A motion was made by Commissioner Alsip with a second by

Commissioner Nagrodzki to accept the Administrative Complaint, Joint Settlement Agreement and Consent Order presented in this case. The motion carried by unanimous vote. A copy of the consent order is attached hereto as Exhibit "F".

Janaki Ram Prasad Earla, M.D. A motion was made by Commissioner Alsip with a second by Commissioner Morris to grant in part the Motion to Stay filed in this case. Contingent on Dr. Earla signing an unconditional waiver of the 120-day limit on his summary suspension, the Commission ordered that the hearing currently scheduled for January 25, 2023 be postponed and rescheduled for May 24, 2023. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "G".

Ajit Naidu, M.D. A motion was made by Commissioner Alsip with a second by Commissioner Morris to grant the Motion to Continue filed in this case. The motion was approved by unanimous vote. The hearing was rescheduled for March 23, 2023. A copy of the Commission's order is attached hereto as Exhibit "H".

DISCUSSION ITEMS

J. Daniel Gifford, M.D. – FSMB Nomination A motion was made by Commissioner Alsip with a second by Commissioner Morris to nominate J. Daniel Gifford, M.D. for the FSMB Distinguished Service Award. The motion was approved by unanimous vote.

HEARINGS

The Commission entered into a closed hearing at 10:45 a.m. as permitted by the Code of Ala. § 34-24-361.1 in the matter set out below.

Hisham Hakim, M.D. At the conclusion of this hearing a motion was made by Commissioner Alsip with a second by Commissioner Nagrodzki to issue an order denying Dr. Hakim's application for reinstatement. The motion was approved by unanimous vote. A copy of the Commission's order is attached as Exhibit "I".

PUBLIC MEETING NOTICE: The next meeting of the Alabama Medical Licensure Commission was announced for Wednesday, December 21, 2022, beginning at 9:00 a.m.

Meeting Adjourned at 11:28 a.m.

RAIGH CHRISTOPHER, M.D., Chairma Alabama Medical Licensure Commission

Karen Silas, Recording

Date Signed

CH

EXHIBIT "A"

IMLCC Licenses Issued October 1, 2022 - October 31, 2022 (42)

Name	License Type	License Number	Status	Issue Date	Expiration Date	State of Principal Licensure
Rakesh Gaddam	MD	45105	Active	10/20/2022	12/31/2022	Arizona
Christopher John Erickson	MD	45070	Active	10/3/2022	12/31/2022	Colorado
Naveen Balasundaram	MD	45084	Active	10/6/2022	12/31/2023	Colorado
Robert Anthony Czincila	DO	3036	Active	10/18/2022	12/31/2022	Colorado
Stewart Gabel	MD	45109	Active	10/25/2022	12/31/2022	Colorado
Daniel Conrad La Perriere	MD	45157	Active	10/26/2022	12/31/2022	Colorado
Tyra Tennyson Francis	MD	45174	Active	10/31/2022	12/31/2022	Colorado
Peifen Sophia Hu	MD	45181	Active	10/31/2022	12/31/2022	Colorado
Elizabeth Leigh Jaggers	MD	45068	Active	10/3/2022	12/31/2022	Georgia
Tejal Mahendra Lalaji	MD	45077	Active	10/4/2022	12/31/2022	Georgia
Jessica L Reynolds	MD	45080	Active	10/5/2022	12/31/2022	Georgia
Aileen Catherine Cangiano-Heath	MD	45088	Active	10/11/2022	12/31/2023	Georgia
Courtney Graham Perez	MD	45091	Active	10/12/2022	12/31/2022	Georgia
Stewart Dixon Gilbert	MD	45100	Active	10/18/2022	12/31/2022	Georgia
Clifton Blayne Thomas	MD	45104	Active	10/19/2022	12/31/2022	Georgia
Erna Anita Waxman	MD	45164	Active	10/26/2022	12/31/2022	Georgia
David Michael Gutman	MD	45108	Active	10/24/2022	12/31/2022	Idaho
Steven Jeffrey Campbell Jr.	MD	45097	Active	10/14/2022	12/31/2022	Kentucky
Lila Emily Sheikhi	MD	45107	Active	10/24/2022	12/31/2022	Kentucky
Glen Lee Watkins	MD	45103	Active	10/19/2022	12/31/2022	Louisiana
Peter Joseph Farago III	MD	45086	Active	10/7/2022	12/31/2022	Michigan
Michael Steven Zbiegien	MD.	45090	Active	10/11/2022	12/31/2022	Nevada
Colt Michael McClain	MD	45101	Active	10/18/2022	12/31/2022	Tennessee
Pranil Kumar Chandra	DO	3035	Active	10/18/2022	12/31/2022	Tennessee
Arthur Lawrence Bellott	MD	45110	Active	10/25/2022	12/31/2022	Tennessee
Susan Potter Bell	MD	45167	Active	10/27/2022	12/31/2022	Tennessee
Larry Raymond DeBarge	MD	45170	Active	10/27/2022	12/31/2023	Tennessee
Alex Gee Mun Chang	MD	45172	Active	10/28/2022	12/31/2022	Tennessee
Thomas Chai	MD	45065	Active	10/3/2022	12/31/2023	Texas
Kaysia Ludford	MD	45066	Active	10/3/2022	12/31/2022	Texas
Alexandra Runnels	MD	45067	Active	10/3/2022	12/31/2022	Texas
Geetinder Goyal	MD	45069	Active	10/3/2022	12/31/2022	Texas

Faye Marie Johnson	MD	45071	Active	10/3/2022	12/31/2023	Texas
Naifa Lamki Busaidy	MD	45075	Active	10/3/2022	12/31/2022	Texas
Nagaeshwara Vijaya Arvind Dasari	MD	45076	Active	10/3/2022	12/31/2022	Texas
Suresh Thiruvenkata Chari	MD	45081	Active	10/6/2022	12/31/2022	Texas
Lawrence Darrell Blanchard	MD	45085	Active	10/7/2022	12/31/2022	Texas
Abhay Kumar	MD	45087	Active	10/7/2022	12/31/2022	Texas
Corentine Arimboh Ako	MD	45099	Active	10/17/2022	12/31/2022	Texas
Jennifer Zuccarelli	MD	45166	Active	10/26/2022	12/31/2022	Texas
Edward Aaron Olson	MD	45106	Active	10/20/2022	12/31/2022	Washington
Christopher John Southwood	MD	45096	Active	10/13/2022	12/31/2022	Wisconsin

^{*} Total licenses issued since April 2017 - 1986

ALABAMA STATE BOARD OF MEDICAL EXAMINERS,

Complainant,

v.

OSCAR DOMINGO ALMEIDA, M.D.,

Respondent.

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

CASE NO. 2021-017

ORDER

This matter is before the Medical Licensure Commission of Alabama on Respondent's request for approval of a practice plan, submitted via e-mail on May 22 and supplemented on October 17, 2022. Also before the Commission are the Preliminary Conclusions and Recommendations, dated October 14, 2022, received from Acumen Assessments.

Upon review, the Commission concludes that Respondent's proposed practice plan fails to contain sufficient information and detail from which the Commission can be satisfied that the conditions set forth in Part V of our Findings of Fact and Conclusions of Law of April 21, 2022, can and will be complied with. Therefore, approval of Respondent's practice plan is denied.

DONE on this the 1st day of December, 2022.

THE MEDICAL LICENSURE COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D. on 2022-12-01 18:30:52 CST

EXHIBIT "C"

ALABAMA STATE BOARD OF MEDICAL EXAMINERS,

Complainant,

v.

LINDA C. CLEMONS, M.D.,

Respondent.

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

CASE NO. 2022-227

ORDER

This matter is before the Medical Licensure Commission of Alabama on Respondent's request, dated November 18, 2022, for a payment plan for the administrative fine imposed by our Consent Order of September 28, 2022. Upon consideration, Respondent's request for a payment plan is granted. Respondent shall make payments of \$500 each month, beginning with the month of December 2022, and shall satisfy the full amount due no later than September 30, 2023.

DONE on this the 1st day of December, 2022.

THE MEDICAL LICENSURE COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D. on 2022-12-01 18:31:00 CST

EXHIBIT "D"

ALABAMA STATE BOARD OF MEDICAL EXAMINERS,

Complainant,

v.

SHARON G. GRIFFITTS, M.D.,

Respondent.

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

CASE NO. 2022-228

ORDER

This matter is before the Medical Licensure Commission of Alabama on Respondent's request, dated November 18, 2022, for a payment plan for the administrative fine imposed by our Consent Order of September 28, 2022. Upon consideration, Respondent's request for a payment plan is granted. The Commission notes that Respondent has already made one payment in the amount of \$500. Respondent shall make payments of \$500 each month, beginning with the month of December 2022, and shall satisfy the full amount due no later than August 31, 2023.

DONE on this the 1st day of December, 2022.

THE MEDICAL LICENSURE COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D. on 2022-12-01 18:31:22 CST

EXHIBIT "E"

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

ALABAMA STATE BOARD OF)	
MEDICAL EXAMINERS,)	DECEMEN
Complainant,)	RECEIVED
v.)	OCT 13 2022
O'NEIL CULVER, M.D.,) CASE NO. 22 - 182)	ABME
Respondent	Š	

JOINT SETTLEMENT AGREEMENT

COME NOW, the Alabama State Board of Medical Examiners ("the Board") and O'Neil Culver, M.D. ("Respondent") (collectively "the Parties"), and respectfully submit this Joint Settlement Agreement to the Medical Licensure Commission of Alabama ("the Commission"), seeking the entry of the attached Consent Order to resolve the disciplinary charges filed against Respondent's medical license. In support thereof, the Parties state as follows:

STIPULATION

- I. Respondent was duly licensed to practice medicine or osteopathy in the state of Alabama on Oct. 29, 1984, having been issued license number MD.11800. Respondent was so licensed at all times relevant to the matters asserted herein.
- 2. It is admitted by Respondent that on or about Jan. 2, 2022, Dr. Culver submitted or caused to be submitted an Alabama medical license renewal application for the calendar year 2022, on which the certification was made that the annual minimum continuing medical education requirement of 25 credits had been met or would be met by December 31, 2021, and the licensee had supporting documents if audited.
- 3. Respondent admits that, in fact, the required number of continuing medical education credits necessary for renewal of the 2022 license had not been obtained and/or that

supporting documentation was not produced; specifically, Respondent obtained no valid credits.

- 4. Respondent acknowledges and admits that the foregoing facts constitute grounds for the imposition of disciplinary sanctions against the licensee's license to practice medicine or osteopathy in Alabama, specifically, a violation of Ala. Code § 34-24-360(23) and Medical Licensure Commission Rule 545-X-5-.02. Respondent consents and agrees to the entry by the Commission of the consent order stated herein, and agrees to be bound by the findings of fact, conclusions of law, and terms and conditions stated therein. Respondent waives any further findings of fact and conclusions of law with respect to the above-styled matter and waives any right to appeal of the joint settlement agreement and consent order.
- 5. It is stipulated and agreed between the Parties that this joint settlement agreement and consent order be submitted to the Commission, and that they are subject to the Commission's approval. It is further agreed by the Parties that the Commission shall be permitted to examine and review, prior to approval of this settlement, the records and documents now in the possession of the Board concerning the stipulation of facts set forth herein. It is further agreed by the Parties that, in the event the Commission declines to accept this joint settlement agreement and consent order, and requires the Board to present testimony and documentary exhibits at a subsequent hearing, any admissions by Respondent in this agreement shall not be binding upon Respondent, and the consideration by the Commission of the joint settlement agreement and consent order and the documentary evidence referred to herein, will not be prejudicial to the right of Respondent to receive a fair and impartial hearing.
- 6. It is further agreed that Respondent will not seek to disqualify any member of the Commission from hearing this matter based on that member's consideration of this joint petition.

	STIPULATED AND AGREED this 12 day of October	
2022.	The stands	
	O'NEIL CULVER, M.D.	
	Jacqueline Walker LPN	
	Witness/Attorney for Dr. Culver	
	Blake T. Vensor	
	Blake T. Henson, Associate General Counsel	
	Alabama State Board of Medical Examiners	

CONSENT ORDER

This matter is before the Medical Licensure Commission of Alabama (the "Commission")
on the administrative complaint filed by the Alabama State Board of Medical Examiners (the
"Board") on Ottober 36, 2022. The Board and O'Neil Culver, M.D.
("Respondent") (collectively "the Parties"), entered into a Joint Settlement Agreement, which was
filed with the Commission on the 25^{+0} day of Olyber, 2022. The
Commission hereby finds that it has jurisdiction over the administrative complaint, and the Parties
hereto, pursuant to Ala. Code § 34-24-361.

After reviewing the Joint Settlement Agreement submitted by the Parties, which is incorporated by reference as if set forth fully herein, the Commission hereby finds that Respondent has committed acts which violate Ala. Code § 34-24-360(23) and Medical Licensure Commission Rule 545-X-5-.02. The Commission concludes, as a matter of law, that the stipulated facts of the Joint Settlement Agreement establish violations of Ala. Code § 34-24-360(23) and Rule 545-X-5-.02.

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

- 1. That O'Neil Culver, M.D., be, and is hereby assessed an administrative fine in the amount of Two Thousand Five Hundred Dollars (\$2,500.00). The administrative fine is due and payable to the Medical Licensure Commission within thirty (30) days of the date of this Consent Order.
- 2. That O'Neil Culver, M.D., between the date of this Order and December 31, 2022, shall obtain 25 credits of AMA PRA Category 1TM or equivalent continuing medical education that are in addition to the standard annual CME requirement of 25 credits.

The Mc	dical Licensure Con	nmission retains jurisdict	ion in this matter for the purpos	c of
entering such fi	orther orders and dire	ectives as may be required	d to implement the provisions of	this
Consent Order.		đ		

ORDERED this the A2 day of NOVINDER , 2022.

Craig H. Christopher, M.D., Chairman, Medical Licensure Commission of Alabama

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

ALABAMA STATE BOARD OF)	
MEDICAL EXAMINERS,)	
)	
Complainant,)	
)	
v.)	GAGENO 00 100
edwin L. Kelsey, M.D.,)	CASE NO. 22 - 197
Respondent.)	

JOINT SETTLEMENT AGREEMENT

COME NOW, the Alabama State Board of Medical Examiners ("the Board") and Edwin L. Kelsey, M.D. ("Respondent") (collectively "the Parties"), and respectfully submit this Joint Settlement Agreement to the Medical Licensure Commission of Alabama ("the Commission"), seeking the entry of the attached Consent Order to resolve the disciplinary charges filed against Respondent's medical license. In support thereof, the Parties state as follows:

STIPULATION

- 1. Respondent was duly licensed to practice medicine or osteopathy in the state of Alabama on Sep. 23, 1992, having been issued license number MD.16871. Respondent was so licensed at all times relevant to the matters asserted herein.
- 2. It is admitted by Respondent that on or about Dec. 4, 2021, Dr. Kelsey submitted or caused to be submitted an Alabama medical license renewal application for the calendar year 2022, on which the certification was made that the annual minimum continuing medical education requirement of 25 credits had been met or would be met by December 31, 2021, and the licensee had supporting documents if audited.
- 3. Respondent admits that, in fact, the required number of continuing medical education credits necessary for renewal of the 2022 license had not been obtained and/or that

supporting documentation was not produced; specifically, Respondent obtained no valid credits.

- 4. Respondent acknowledges and admits that the foregoing facts constitute grounds for the imposition of disciplinary sanctions against the licensee's license to practice medicine or osteopathy in Alabama, specifically, a violation of Ala. Code § 34-24-360(23) and Medical Licensure Commission Rule 545-X-5-.02. Respondent consents and agrees to the entry by the Commission of the consent order stated herein, and agrees to be bound by the findings of fact, conclusions of law, and terms and conditions stated therein. Respondent waives any further findings of fact and conclusions of law with respect to the above-styled matter and waives any right to appeal of the joint settlement agreement and consent order.
- 5. It is stipulated and agreed between the Parties that this joint settlement agreement and consent order be submitted to the Commission, and that they are subject to the Commission's approval. It is further agreed by the Parties that the Commission shall be permitted to examine and review, prior to approval of this settlement, the records and documents now in the possession of the Board concerning the stipulation of facts set forth herein. It is further agreed by the Parties that, in the event the Commission declines to accept this joint settlement agreement and consent order, and requires the Board to present testimony and documentary exhibits at a subsequent hearing, any admissions by Respondent in this agreement shall not be binding upon Respondent, and the consideration by the Commission of the joint settlement agreement and consent order and the documentary evidence referred to herein, will not be prejudicial to the right of Respondent to receive a fair and impartial hearing.
- 6. It is further agreed that Respondent will not seek to disqualify any member of the Commission from hearing this matter based on that member's consideration of this joint petition.

	STIPULATED AND AGREED this day of Styt.
2022.	
	EDWIN L. KELSEY, M.D.
	Witness/Attorney for Dr. Kelsey
	Blake T/ Henson, Associate General Counsel Alabama State Board of Medical Examiners

CONSENT ORDER

This matter is before the Medical Licensure Commission of Alabama (the "Commission")
on the administrative complaint filed by the Alabama State Board of Medical Examiners (the
"Board") on
M.D. ("Respondent") (collectively "the Parties"), entered into a Joint Settlement Agreement
which was filed with the Commission on the 219 day of 000000 2022.
The Commission hereby finds that it has jurisdiction over the administrative complaint, and the
Parties hereto, pursuant to Ala. Code § 34-24-361.

After reviewing the Joint Settlement Agreement submitted by the Parties, which is incorporated by reference as if set forth fully herein, the Commission hereby finds that Respondent has committed acts which violate Ala. Code § 34-24-360(23) and Medical Licensure Commission Rule 545-X-5-.02. The Commission concludes, as a matter of law, that the stipulated facts of the Joint Settlement Agreement establish violations of Ala. Code § 34-24-360(23) and Rule 545-X-5-.02.

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

- 1. That Edwin L. Kelsey, M.D., be, and is hereby assessed an administrative fine in the amount of Two Thousand Five Hundred Dollars (\$2,500.00). The administrative fine is due and payable to the Medical Licensure Commission within thirty (30) days of the date of this Consent Order.
- 2. That Edwin L. Kelsey, M.D., between the date of this Order and December 31, 2022, shall obtain 25 credits of AMA PRA Category 1TM or equivalent continuing medical education that are in addition to the standard annual CME requirement of 25 credits.

The Medical Licensure Commission retains jurisdiction in this matter for the	e purpose of
entering such further orders and directives as may be required to implement the provi	isions of this
Consent Order.	
ORDERED this the 2214 day of NI) W. MOLV	, 2022.

Grafg H. Christopher, M.D., Thairman, Medical Licensure Commission of Alabama

ALABAMA STATE BOARD OF MEDICAL EXAMINERS,

Complainant,

v.

JANAKI RAM PRASAD EARLA, M.D.,

Respondent.

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

CASE NO. 2022-344

ORDER

This matter is before the Medical Licensure Commission of Alabama on Respondent's "Motion for Stay of Proceedings," filed on November 15, 2022. Upon consideration of the particular facts of this case, and having weighed the factors set forth in *Ex parte Ebbers*, 871 So. 2d 776, 789 (Ala. 2003), Respondent's motion is granted in part and denied in part, as follows:

- 1. Respondent shall execute an unconditional waiver of the 120-day limitation on the summary suspension of his license to practice medicine in the State of Alabama, using a form that will be provided to his counsel by counsel for the Commission;
- 2. Conditioned upon Respondent's compliance with the foregoing condition precedent, the hearing in this matter, currently scheduled for January 25, 2023, is hereby continued and reset for Wednesday, May 24, 2023, at 10:00 a.m.

DONE on this the 1st day of December, 2022.

THE MEDICAL LICENSURE COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D. on 2022-12-01 18:31:13 CST

ALABAMA STATE BOARD OF MEDICAL EXAMINERS,

Complainant,

v.

AJIT NAIDU, M.D.,

Respondent.

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

CASE NO. 2019-311

ORDER

This matter is before the Medical Licensure Commission of Alabama on Respondent's Motion to Continue, filed on November 2, 2022. The motion is not opposed by the Board. Upon consideration, the Motion to Continue is granted, and the hearing in this matter, currently scheduled for December 21, 2022, is hereby continued and reset for Thursday, March 23, 2023, at 10:00 a.m.

DONE on this the 1st day of December, 2022.

THE MEDICAL LICENSURE COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D. on 2022-12-01 18:31:31 CST

EXHIBIT "I"

ALABAMA STATE BOARD OF MEDICAL EXAMINERS,

Complainant,

v.

HISHAM HAKIM, M.D.,

Respondent.

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

CASE NO. 2022-261

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This is a contested reinstatement proceeding under Ala. Code § 34-24-337. After receiving and considering all of the relevant evidence and argument, we find the Respondent, Hisham Hakim, M.D., guilty of the disciplinary charges, and deny his application for license reinstatement.

I. Introduction and Statement of the Case

The respondent in this case is Hisham Hakim, M.D. ("Respondent"). Respondent was first licensed by the Commission on August 29, 1988, having been issued license no. MD 14336. The Alabama State Board of Medical Examiners ("the Board") contests reinstatement of Respondent's license because of Respondent's failure to complete two Board-ordered remedial education courses, and Respondent's extended absence from the practice of medicine.

II. Procedural History

Respondent failed to renew his license to practice medicine December 31, 2021, which resulted in his license expiring by operation of law. On May 31, 2022, Respondent applied for reinstatement pursuant to Ala. Code § 34-24-337. On July 29, 2023, the Board, as prescribed in Ala. Code § 34-24-337(e), filed its "Notice of Intent to Contest Reinstatement." On August 29, 2022, as prescribed in Ala. Code § 34-24-337(g), the Board filed its Administrative Complaint setting forth the grounds for its opposition to reinstatement of Respondent's license ("the Administrative Complaint").

The Administrative Complaint contains three counts. Count One alleges that Respondent is guilty of unprofessional conduct in violation of Ala. Code § 34-24-360(2), in that Respondent failed to comply with an October 24, 2019 Board Order requiring him to complete the medical education course, "Intensive Course in Controlled Substance Prescribing" at Case Western Reserve University School of Medicine. Count Two alleges that Respondent committed unprofessional conduct in violation of Ala. Code § 34-24-360(2) in that he failed to comply with the same Board Order to the extent that it required him to complete the medical education course, "Intensive Course in Medical Documentation: Clinical, Legal, and Economic Implications for Healthcare Providers" at Case Western Reserve University School of Medicine. In Count Three, the Board

alleges that Respondent has been absent from the practice of medicine for at least two years, triggering a rebuttable presumption of clinical incompetence under Ala. Code § 34-24-360(20) and (23), and Ala. Admin. Code r. 540-X-23-.03.

On November 22, 2022, we conducted an evidentiary hearing on these charges as prescribed in Ala. Admin. Code r. 545-X-3. The case against reinstatement was presented by the Board through its attorneys E. Wilson Hunter and Blake T. Henson. Respondent did not appear, and the hearing was held *in absentia* as authorized by Ala. Code § 41-22-12(d). Pursuant to Ala. Admin. Code r. 545-X-3-.08(1), the Honorable William R. Gordon presided as Hearing Officer. Each side was offered the opportunity to present evidence and argument in support of its respective contentions, and to cross-examine the witnesses presented by the other side (though Respondent, as noted above, declined this opportunity). In accordance with Ala. Code § 41-22-16, we enter the following Findings of Fact and Conclusions of Law.

III. Findings of Fact

Respondent was first licensed by the Commission on August 29,
 1988, having been issued license no. MD 14336.

- 2. Respondent was personally served with copies of the Administrative Complaint and Order Setting Hearing by Board Investigator Jason Green on September 29, 2022.
 - 3. On October 24, 2019, The Board entered the following Order:

ORDER

Pursuant to Ala. Code §§ 34-24-61(a) and 34-24-361(a)(2), the Alabama State Board of Medical Examiners has concluded that there is cause to direct that HISHAM HAKIM, M.D., successfully complete courses of continuing medical education in subjects related to the prescribing, dispensing, administering, or furnishing of controlled substances and medical documentation. Accordingly, it is the ORDER of the Board that HISHAM HAKIM, M.D., prior to returning to the active practice of medicine in Alabama, successfully complete courses of continuing medical education which are the following:

"Intensive Course in Controlled Substance Prescribing," Case Western Reserve University School of Medicine, 10524 Euclid Avenue, Cleveland OH 44106-6026. Telephone: 216-983-1239; e-mail: medcme@case.edu.

AND

"Intensive Course in Medical Documentation: Clinical, Legal and Economic Implications for Healthcare Providers," Case Western Reserve University School of Medicine, 10524 Euclid Avenue, Cleveland OH 44106-6026. Telephone: 216-983-1239; e-mail: medcme@case.edu.

The expense of the continuing medical education courses shall be borne by HISHAM HAKIM, M.D.

Dr. Hakim is ordered to contact Roland Johnson, Physician Monitoring Director, or B. B. McMahan, Physician Monitoring Coordinator, at (334) 242-4116 or 1-800-227-2606 no later than two

months prior to returning to the active practice of medicine in Alabama to confirm his intention to submit to the terms of this Order and for information concerning the continuing medical education courses.

ORDERED this 24th day of October, 2019.

/s/

Sarah H. Moore, Executive Director
Alabama State Board of Medical Examiners

(BME Exhibit 8.)

- 4. The Board's order was predicated on good cause: The previous day, the Board had issued a "Letter of Concern" to Respondent, which arose out of the Board's investigation into the death of one of Respondent's patients. The "Letter of Concern" was neither a finding of culpability nor a disciplinary action. It did, however, put Respondent on formal notice that his "actions or conduct in question may not be in accord with generally accepted standards of medical practice and/or may be detrimental to patient care." (BME Exhibit 7.)
- 5. The Board's October 2019 Order required Respondent to complete the continuing medical education courses "prior to returning to the active practice of medicine in Alabama." More than two years have elapsed since the Board entered its order, and Respondent has not completed the continuing medical education courses ordered by the Board. We therefore infer that Respondent has not been actively practicing medicine since the Board issued its Letter of Concern

and entered its order. Respondent did not attend the hearing in this matter, and thus has not provided us any evidence to the contrary.

IV. Conclusions of Law

- 1. The Commission has jurisdiction over the subject matter of this cause pursuant to Act No. 1981-218, Ala. Code §§ 34-24-310, et seq.
- 2. Respondent was properly notified of the time, date, and place of the administrative hearing and of the charges against him in compliance with Ala. Code §§ 34-24-361(e) and 41-22-12(b)(1), and Ala. Admin. Code r. 545-X-3-.03(3), (4). At all relevant times, Respondent was a licensee of this Commission and was and is subject to the Commission's jurisdiction.
- 3. Under certain conditions, the Commission "shall have the power and duty to suspend, revoke, or restrict any license to practice medicine or osteopathy in the State of Alabama or place on probation or fine any licensee." Ala. Code § 34-24-360.
- 4. The Commission also has power to order reinstatement, or, in appropriate circumstances, to deny reinstatement, of licenses to practice medicine in Alabama. If the Board demonstrates any violation of Ala. Code § 34-24-360, the Commission has discretion to deny reinstatement. See Ala. Code § 34-24-337(h) ("The commission may deny reinstatement of a license upon a finding that

the applicant has committed any of the acts or offenses set forth in Sections 34-24-360, 34-24-57, 16-47-128, or any other provision of law establishing grounds for the revocation, suspension, or discipline of a license to practice medicine.").

5. Section 34-24-361(a)(2) outlines the Board's power to order a physician to take certain continuing education courses, and prescribes the consequences for the physician's failure or refusal to obey the Board's order:

The board may, within its discretion and for cause, order and direct that a physician or osteopath successfully complete a course or courses of continuing medical education on subjects related to the findings of the investigation of the board. . . . Failure or refusal to comply with the order or directive of the board entered pursuant to this subdivision shall constitute grounds, after notice and a hearing, for the suspension of the license to practice medicine of the physician or osteopath in question by the Medical Licensure Commission which shall continue in effect until such time the physician or osteopath has complied with the order or directive or the board has rescinded or withdrawn the order or directive.

Ala. Code § 34-24-361(a)(2) (emphasis added).

6. A physician's absence from the active practice of medicine for two years triggers a "rebuttable presumption" of clinical incompetence:

¹ A "presumption is a creature of law that assists in the matter of proof by providing that in certain situations proven facts may be strong enough that from them the trier of fact may conclude that the presumed fact exists. ... [R]ebuttable presumptions, found throughout the legal system, are those under which a certain quantum of evidence gives rise to an inference of some other fact, but as to which fact the opposing party may offer evidence in rebuttal. Rebuttable presumptions are generally created by law—under statutes, case law, or rules of court—for such reasons as the promotion of some public policy (as in presumptions favoring the legitimacy of children), because the presumption is based upon human experience (illustrated by the presumption against suicide), or because of the peculiarities of the case

A physician's absence from clinical practice for more than two years creates a rebuttable presumption of clinical incompetence. A physician, whether he or she is an applicant or licensee, who has not actively practiced or who has not maintained continued competency, as determined by the Board, during the two-year period immediately preceding the filing of an application for licensure or reinstatement or during any consecutive two-year period may be required to complete a reentry plan as a condition of licensure/reinstatement.

Ala. Admin. Code r. 540-X-23-.03(1).

- 7. The evidence presented at the hearing establishes that Respondent violated Ala. Code § 34-24-360(2), in that he has failed or refused to obey the Board's order, entered October 24, 2019, that he complete the course "Intensive Course in Controlled Substance Prescribing," offered by Case Western Reserve University School of Medicine.
- 8. The evidence presented at the hearing establishes that Respondent violated Ala. Code § 34-24-360(2), in that he has failed or refused to obey the Board's order, entered October 24, 2019, that he complete the course "Intensive Course in Medical Documentation: Clinical, Legal and Economic Implications for Healthcare Providers," offered by Case Western Reserve University School of Medicine.

affecting the ability to produce evidence (illustrated by the statutory presumption that upon proof of certain facts a railroad is presumed negligent)." Ala. R. Evid. 301 (Advisory Committee's Notes).

9. Pursuant to Ala. Admin. Code r. 540-X-23-.03(1), Respondent is rebuttably presumed to be incompetent to practice medicine. Respondent has not offered anything to rebut the presumption of clinical incompetency. We therefore find that Respondent is unable to practice medicine with reasonable skill and safety to patients by reason of a demonstrated lack of clinical competency, in violation of Ala. Code § 34-24-360(20).

V. Decision

Therefore, it is **ORDERED**, **ADJUDGED**, **AND DECREED**:

- 1. That the Respondent, Hisham Hakim, M.D., is adjudged GUILTY of unprofessional conduct in violation of Ala. Code § 34-24-360(2), as charged in Count One of the Administrative Complaint.
- 2. That the Respondent, Hisham Hakim, M.D., is adjudged GUILTY of unprofessional conduct in violation of Ala. Code § 34-24-360(2), as charged in Count Two of the Administrative Complaint.
- 3. That the Respondent, Hisham Hakim, M.D., is adjudged **GUILTY** of being unable to practice medicine with reasonable skill and safety to patients in violation of Ala. Code § 34-24-360(20), due to the legal presumption pursuant to Ala. Admin. Code r. 540-X-23-.03, as charged in Count Three of the Administrative Complaint.

4. That—separately and severally for Counts One, Two, and Three—

Respondent's application to reinstate his license to practice medicine in the State

of Alabama is **DENIED**.

5. That within 30 days of this Order, the Board shall file its bill of costs

as prescribed in Ala. Admin. Code r. 545-X-3-.08(10)(b), and Respondent shall

file any objections to the cost bill within 10 days thereafter, as prescribed in Ala.

Admin. Code r. 545-X-3-.08(10)(c). The Commission reserves the issue of

imposition of costs until after full consideration of the Board's cost bill and

Respondent's objections, and this reservation does not affect the finality of this

Order. See Ala. Admin. Code r. 545-X-3-.08(10)(e).

DONE on this the 14th day of December, 2022.

THE MEDICAL LICENSURE COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D. on 2022-12-14 10:53:14 CST