

MINUTES
Monthly Meeting
MEDICAL LICENSURE COMMISSION OF ALABAMA
Meeting Location: 848 Washington Avenue
Montgomery, Alabama 36104

April 17, 2023

MEMBERS PRESENT IN PERSON

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

MEMBERS NOT PRESENT

Gary Hill, D.O.

MLC STAFF

Aaron Dettling, General Counsel, MLC
Rebecca Robbins, Operations Director (Recording)
Nicole Hardy, Administrative Assistant (Recording)
Heather Lindemann, Licensure Assistant

OTHERS PRESENT

BME STAFF

Rebecca Daniels, Investigator
Randy Dixon, Investigator
Amy Dorminey, Operations Director
Greg Hardy, Investigator
Chris Hart, Technology
Effie Hawthorne, Associate General Counsel
Wilson Hunter, General Counsel
Roland Johnson, Physician Monitoring
Stephen Lavender, Investigator
Scott Sides, Investigator
Christy Stewart, Paralegal

Call to Order: 8:33 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 Aldridge made a motion that the Minutes of March 23, 2023, be approved. A second was made by Commissioner Morris. The motion was approved by unanimous vote.

NEW BUSINESS

IMLCC Report

The Commission received as information a report of the licenses that were issued via the Interstate Medical Licensure Compact from March 1, 2023, through March 31, 2023. A copy of this report is attached as Exhibit "A".

IMLC – Keri McFarlane Bentley, M.D. – Administrative Suspension

The Commission received as information the Emergency Order of Suspension from the Kentucky Board of Medical Licensure. Pursuant to provisions of Section 10(d) of the Interstate Medical Licensure Compact, Dr. Bentley's Alabama medical license was administratively suspended for a period of 90 days beginning March 24, 2023. A copy of the Administrative Suspension letter is attached as Exhibit "B".

REPORTS

Physician Monitoring Report

The Commission received as information the physician monitoring report dated April 7, 2023. A copy of the report is attached as Exhibit "C".



ADMINISTRATIVE FILINGS

Tarik Y. Farrag, M.D.

The Commission received as information the Amended Administrative Complaint filed by the Alabama State Board of Medical Examiners. A copy of the Amended Administrative Complaint is attached as Exhibit "D".

Andre' V. Haynes, M.D.

The Commission received as information the Notice of Intent to Contest Reinstatement filed by the Alabama State Board of Medical Examiners. A copy of the Notice of Intent to Contest Reinstatement is attached as Exhibit "E".

Carlos A. Liotta, M.D.

The Commission received an Administrative Complaint filed by the Alabama State Board of Medical Examiners. A motion was made by Commissioner Alsip with a second by Commissioner Morris to enter an order setting a hearing for May 22, 2023. The motion was approved by unanimous vote. A copy of the Commission's order is attached as Exhibit "F".

William A. Powell, III, M.D.

The Commission received an Administrative Complaint filed by the Alabama State Board of Medical Examiners. A motion was made by Commissioner Alsip with a second by Commissioner Morris to enter an order setting a hearing for May 22, 2023. The motion was approved by unanimous vote. A copy of the Commission's order is attached as Exhibit "G".

Vanessa A. Ragland-Payne, D.O.

The Commission received an Administrative Complaint filed by the Alabama State Board of Medical Examiners. A motion was made by Commissioner Alsip with a second by Commissioner Morris to enter an order setting a hearing for May 22, 2023. The motion was approved by unanimous vote. A copy of the Commission's order is attached as Exhibit "H".

David G. Lemak, M.D.

The Commission received a Joint Settlement Agreement and Consent Order between Dr. Lemak and the Alabama Board of Medical Examiners. A motion was made by Commissioner Alsip



to accept the Joint Settlement Agreement and to enter a Consent Decree incorporating its terms. A second was made by Dr. Aldridge. A copy of the Commission's Consent Decree is attached as Exhibit "I".

DISCUSSION ITEMS

Action Items 1 and 2

A motion was made by Commissioner Alsip with a second by Commissioner Aldridge to appoint Rebecca Robbins, Operations Director of the Alabama Medical Licensure Commission as the Medical Licensure Commission's Red Tape Reduction Coordinator pursuant to Executive Order No. 735 and the Medical Licensure Commission's Public Records Coordinator pursuant to Executive Order No. 734. The motion was approved by unanimous vote. A copy of the memo is attached as Exhibit "J".

Aaron A.H. Ramirez, M.D.

A motion was made by Commissioner Alsip with a second by Commissioner Morris to grant Dr. Ramirez's Motion to Continue and to reset the hearing for July 27, 2023. The motion was approved by unanimous vote. A copy of such order is attached hereto as Exhibit "K".

Draft Standing Order – Hearing Panels

A motion was made by Commissioner Alsip with a second by Commissioner Aldridge to approve the Standing Order Setting Hearing for Contested Cases Initiated by Administrative Complaint Three-Member Hearing. The motion was approved by unanimous vote. A copy of the Standing Order is attached as Exhibit "L".

At 9:31 a.m., the Commission entered closed session pursuant to Alabama Code § 34-24-361.1 to hear and consider the following matters:

HEARINGS

Janie T. Bush Teschner, M.D.

The Commission held an evidentiary hearing to determine whether to accept a Joint Settlement Agreement between Dr. Teschner and the Board of Medical Examiners. At the conclusion of this hearing, a motion was made by Commissioner Alsip with a second by




Commissioner Aldridge to accept the Settlement Agreement and to enter a Consent Decree incorporating its terms. A copy of the Commission's Consent Decree is attached as Exhibit "M".

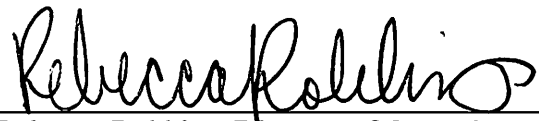
Lorna J. Bland, M.D.

At the conclusion of this hearing, a motion was made by Commissioner Alsip with a second by Commissioner Morris to issue an order assessing an administrative fine in the amount of \$2,000 and requiring Dr. Bland to obtain an additional 25 continuing medical education credits by December 31, 2023, for a total of 50 continuing medical education credits during the 2023 calendar year. The motion was approved by unanimous vote. A copy of the Commission's order is attached as Exhibit "N".

Meeting adjourned at 11:10 a.m.

PUBLIC MEETING NOTICE: The next meeting of the Alabama Medical Licensure Commission was announced for Friday, April 28, 2023, beginning at 5:00 p.m.


CRAIG H. CHRISTOPHER, M.D., Chairman
Alabama Medical Licensure Commission


Rebecca Robbins, Director of Operations
Recording Secretary
Alabama Medical Licensure Commission

05/24/2023

Date Signed



IMLCC Licenses Issued March 1, 2023 - March 31, 2023 (111)

Name	License Type	License Number	Status	Issue Date	Expiration Date	State of Principal Licensure
Sultan Hamid Rahaman	MD	46016	Active	3/1/2023	12/31/2023	Colorado
Jessica Bulbin Duis	MD	46036	Active	3/6/2023	12/31/2023	Colorado
Trevor Dane Barton	DO	3191	Active	3/13/2023	12/31/2023	Colorado
Amanda Lynne Harding	MD	46053	Active	3/13/2023	12/31/2023	Colorado
Igor Alexandrovich Malenky	MD	46054	Active	3/13/2023	12/31/2023	Colorado
Latonya Rochelle Beatty	MD	46064	Active	3/15/2023	12/31/2023	Colorado
Amen Sergew	MD	46070	Active	3/16/2023	12/31/2023	Colorado
Peter Edmund Razma	MD	46078	Active	3/20/2023	12/31/2023	Colorado
Judy Hsin-Ting Chang	MD	46089	Active	3/22/2023	12/31/2023	Colorado
Yavar Moghimi	MD	46203	Active	3/29/2023	12/31/2023	Colorado
Indira De Jesus Alvelo	MD	46087	Active	3/21/2023	12/31/2023	Delaware
Kevin Tyler Ward	DO	3184	Active	3/2/2023	12/31/2023	Georgia
Aakar Thaker	MD	46040	Active	3/7/2023	12/31/2023	Georgia
Leon I Igel	MD	46047	Active	3/13/2023	12/31/2023	Georgia
Alexandre Miguel Benjo	MD	46071	Active	3/16/2023	12/31/2023	Georgia
Contessa D Metcalfe	MD	46090	Active	3/22/2023	12/31/2023	Georgia
Sydne Danielle Ford	MD	46198	Active	3/29/2023	12/31/2023	Georgia
Elizabeth Marie Dixon	MD	46207	Active	3/30/2023	12/31/2023	Georgia
Erik Peter Deede	MD	46048	Active	3/13/2023	12/31/2023	Illinois
Syed Sumair Akhtar	MD	46073	Active	3/17/2023	12/31/2023	Illinois
Milena Djuric	MD	46076	Active	3/20/2023	12/31/2023	Illinois
James Eugene Butler	MD	46083	Active	3/20/2023	12/31/2023	Illinois
Jasdeep S Dalawari	MD	46193	Active	3/28/2023	12/31/2023	Illinois
Samantha Joanne Philman	MD	46061	Active	3/14/2023	12/31/2023	Kansas
Patricia Ann Kleinholz-Owens	MD	46033	Active	3/6/2023	12/31/2023	Kentucky
Michael Ray Crum	MD	46044	Active	3/9/2023	12/31/2023	Kentucky
Prasannalaxmi Palabindela	MD	46066	Active	3/15/2023	12/31/2023	Kentucky
Daniel Kristian Garrett	MD	46092	Active	3/22/2023	12/31/2023	Louisiana
Kiranmayi Adimoolam	MD	46032	Active	3/6/2023	12/31/2023	Maryland

Neha Batta	MD	46038	Active	3/6/2023	12/31/2023	Maryland
Oluwakemi Oreofe Ajibade	MD	46065	Active	3/15/2023	12/31/2023	Maryland
Jennifer Olegario Cancino	MD	46091	Active	3/22/2023	12/31/2023	Maryland
Anibal Cravchik	MD	46196	Active	3/28/2023	12/31/2023	Maryland
Brandon Jeffrey Armstrong	MD	46021	Active	3/2/2023	12/31/2023	Michigan
Racha El-Ladki	DO	3187	Active	3/7/2023	12/31/2023	Michigan
Chelsea Elizabeth Wickenheiser	DO	3190	Active	3/13/2023	12/31/2023	Michigan
John Elton Schloff	MD	46063	Active	3/15/2023	12/31/2023	Michigan
Amy Marie Federico	DO	3193	Active	3/15/2023	12/31/2023	Michigan
Kasey Lynn Morden	MD	46205	Active	3/30/2023	12/31/2023	Michigan
David Gordon Lang	MD	46074	Active	3/17/2023	12/31/2023	Minnesota
Mark Vaughn Larkins	MD	46081	Active	3/20/2023	12/31/2023	Minnesota
Eliceia Dionne Jackson	MD	46088	Active	3/21/2023	12/31/2023	Mississippi
Drew Steven Weber	MD	46201	Active	3/29/2023	12/31/2023	Mississippi
Scott Neil Jacobson	MD	46031	Active	3/6/2023	12/31/2023	Nevada
Charlene Letchford	MD	46034	Active	3/6/2023	12/31/2023	Nevada
Suneer Chander	MD	46046	Active	3/9/2023	12/31/2023	New Hampshire
Beverly Jean Tong	MD	46042	Active	3/9/2023	12/31/2023	North Dakota
Douglas Michael Haas	MD	46085	Active	3/21/2023	12/31/2023	Ohio
Mark Rosekelly	DO	3194	Active	3/20/2023	12/31/2023	Oklahoma
Marc Dennis Knudsen	DO	3216	Active	3/28/2023	12/31/2023	Oklahoma
Catherine Ifeyinwa Chokuba	MD	46019	Active	3/2/2023	12/31/2023	Tennessee
Daniel Barker	MD	46051	Active	3/13/2023	12/31/2023	Tennessee
Melinda Rae Roskos	MD	46056	Active	3/13/2023	12/31/2023	Tennessee
Timothy Justin Miller	DO	3197	Active	3/21/2023	12/31/2023	Tennessee
David Hauge	MD	46165	Active	3/23/2023	12/31/2023	Tennessee
Leah Giselle Cordovez	MD	46183	Active	3/27/2023	12/31/2023	Tennessee
Sahar Semnani	MD	46184	Active	3/27/2023	12/31/2023	Tennessee
Nancy Lintakoon Kwan	DO	3183	Active	3/1/2023	12/31/2023	Texas
Dongjiu Ye	MD	46018	Active	3/1/2023	12/31/2023	Texas
Akash M Patel	MD	46020	Active	3/2/2023	12/31/2023	Texas
Cristina Blejan	MD	46023	Active	3/2/2023	12/31/2023	Texas

Chaitanya Chavda	MD	46024	Active	3/2/2023	12/31/2023	Texas
Sharon Hermes Giordano	MD	46025	Active	3/3/2023	12/31/2023	Texas
Carlos Hernando Barcenas	MD	46026	Active	3/3/2023	12/31/2023	Texas
Maria Pia Franco Pino	MD	46029	Active	3/3/2023	12/31/2023	Texas
Ana Paula Correa Refinetti	MD	46030	Active	3/3/2023	12/31/2023	Texas
Matthew Tihen Harting	MD	46035	Active	3/6/2023	12/31/2023	Texas
Min Suk Jun	DO	3186	Active	3/6/2023	12/31/2023	Texas
Derek D Ou	MD	46037	Active	3/6/2023	12/31/2023	Texas
Abigail Suzanne Caudle	MD	46041	Active	3/8/2023	12/31/2023	Texas
Mariam Molani	DO	3188	Active	3/8/2023	12/31/2023	Texas
Patrick Imonitie Igharosa	MD	46043	Active	3/9/2023	12/31/2023	Texas
Makesha Vernee Miggins	MD	46045	Active	3/9/2023	12/31/2023	Texas
Tracy D Snell	DO	3189	Active	3/9/2023	12/31/2023	Texas
Aman U Buzdar	MD	46049	Active	3/13/2023	12/31/2023	Texas
Sairah Ahmed	MD	46050	Active	3/13/2023	12/31/2023	Texas
Alex Roher	MD	46057	Active	3/13/2023	12/31/2023	Texas
Mariana Chavez MacGregor	MD	46058	Active	3/13/2023	12/31/2023	Texas
Janet Chen Tu	MD	46062	Active	3/15/2023	12/31/2023	Texas
Robert Clinton Bast Jr.	MD	46067	Active	3/16/2023	12/31/2023	Texas
Adaezw Nwosu Iheme	MD	46068	Active	3/16/2023	12/31/2023	Texas
Carrie Fontenot Blades	MD	46069	Active	3/16/2023	12/31/2023	Texas
Puneet Singh	MD	46072	Active	3/16/2023	12/31/2023	Texas
Satish Chundru	DO	3196	Active	3/21/2023	12/31/2023	Texas
Nana Bernie Mensah-Nyante	MD	46086	Active	3/21/2023	12/31/2023	Texas
Marisa Monique Magana	MD	46167	Active	3/24/2023	12/31/2023	Texas
Funda Meric-Bernstam	MD	46174	Active	3/24/2023	12/31/2023	Texas
Daniel Mark Halperin	MD	46182	Active	3/24/2023	12/31/2023	Texas
Andrew Samuel Fredericks	MD	46197	Active	3/29/2023	12/31/2023	Texas
Craig Adam Kovitz	MD	46199	Active	3/29/2023	12/31/2023	Texas
David Christopher Rice	MD	46202	Active	3/29/2023	12/31/2023	Texas
Akhila Sunkepally Reddy	MD	46206	Active	3/30/2023	12/31/2023	Texas
Kelly Kathleen Hunt	MD	46208	Active	3/31/2023	12/31/2023	Texas

Jaya Sheela Amaram Davila	MD	46209	Active	3/31/2023	12/31/2023	Texas
Uchenna Kennedy Ojiaku	MD	46210	Active	3/31/2023	12/31/2023	Texas
Pavlos Msaouel	MD	46214	Active	3/31/2023	12/31/2023	Texas
Robert Brent Clark	MD	46055	Active	3/13/2023	12/31/2023	Utah
Matthew Scott Walton	DO	3195	Active	3/20/2023	12/31/2023	Utah
Adora Elena Mauborgne	MD	46017	Active	3/1/2023	12/31/2023	Washington
Noble Kurian Jacob	MD	46028	Active	3/3/2023	12/31/2023	Washington
Conor Gallagher Senecal	MD	46052	Active	3/13/2023	12/31/2023	Washington
Nancy Karen Berley	MD	46060	Active	3/14/2023	12/31/2023	Washington
Timothy John Howard Curlett	MD	46079	Active	3/20/2023	12/31/2023	Washington
Cherry Rose Ramos Rosales	MD	46164	Active	3/23/2023	12/31/2023	Washington
Krista Gail Handyside	MD	46173	Active	3/24/2023	12/31/2023	Washington
Elizabeth Burnell	MD	46200	Active	3/29/2023	12/31/2023	Washington
Benjamin Leonard Johnson	MD	46077	Active	3/20/2023	12/31/2023	West Virginia
Barry Pevner	MD	46022	Active	3/2/2023	12/31/2023	Wisconsin
Harirajan Mani	MD	46075	Active	3/20/2023	12/31/2023	Wisconsin
Bintou Gassama Schoen	MD	46082	Active	3/20/2023	12/31/2023	Wisconsin
Subashini T Furman	MD	46084	Active	3/20/2023	12/31/2023	Wyoming

** Total licenses issued since April 2017 - 2608*



Craig H. Christopher, M.D.
Chairman/Executive Officer

*Post Office Box 887
Montgomery, Alabama 36101*

Rebecca Robbins
Director of Operations

STATE of ALABAMA
MEDICAL LICENSURE COMMISSION

*Phone: (334)242-4153
Email: mlc@almlc.gov*

April 13, 2022

VIA EMAIL CORRESPONDENCE AND FEDERAL EXPRESS

Keri McFarlane Bentley, M.D.
10616 Eagles View Drive
Knoxville, Tennessee 37922

Re: Administrative Suspension of License to Practice Medicine in Alabama

Dear Dr. McFarlane Bentley:

The Alabama Medical Licensure Commission has learned that your license to practice medicine in Kentucky has been suspended.

This letter is to inform you that, pursuant to provisions of Section 10(d) of the Interstate Medical Licensure Compact, codified at Ala. Code §34-24-529(d), your license to practice medicine in Alabama has been administratively suspended. The administrative suspension of your Alabama license occurred immediately upon, and simultaneously with, the suspension of your Kentucky license, and may last for up to 90 days. Pending further information and/or developments, other actions may be taken against your license to practice medicine in Alabama.

The Alabama State Board of Medical Examiners ("Board") may contact you in the near future to investigate the circumstances that led to the suspension of your medical license. Failure to comply with any Board investigation may be an independent basis for discipline against your license to practice medicine in Alabama.

If you have questions, please feel free to contact this office or Aaron Dettling at adettling@almlc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Rebecca Robbins", written over a horizontal line.

Rebecca Robbins
Director of Operations
Alabama Medical Licensure Commission



STATE of ALABAMA
MEDICAL LICENSURE COMMISSION

To: Medical Licensure Commission
From: Nicole Hardy
Subject: April Physician Monitoring Report
Date: 4/7/2023

The physicians listed below are currently being monitored by the MLC.

Physician: Scott Hull Boswell, M.D.

Order Type: MLC
Due Date: Quarterly
Order Date: 12/1/2014
License Status: Active
Requirements: Therapist Report
Check PDMP
Received: Therapist Report
PDMP Compliant

Physician: Eldred Brunson, M.D.

Order Type: MLC
Due Date: Other
Order Date: 6/22/2022
License Status: Suspension
Requirements: Administrative Cost \$4,395 (Balance \$2,625.05)
Administrative Fine \$10,000 (Balance \$8,019.35)
Monthly payments of \$626.15
Fine and Cost to be paid in full no later than May 31, 2024
Received: *Last payment was received 12/15/2022

Physician: Gary M. Bullock, D.O.

Order Type: MLC
Due Date: Other
Order Date: 1/26/2022
License Status: Active-Probation
Requirements: Administrative Cost (\$27,460.27)
Administrative Fine (\$20,000)
Monthly payments of \$160 for 6 months (February 2023 – July 2023)
Monthly payments of \$4,066.57 starting August 2023
Received: \$160 payment received 4/6/2023
Administrative Cost balance is \$27,300.27.

Physician: Dylan E. Caggiano, D.O.
Order Type: MLC
Due Date: Quarterly
Order Date: 12/3/2021
License Status: Active
Requirements: APHP Report
Received: Report from Rob Hunt with supporting documents

Physician: Ronald Edwin Calhoun, M.D.
Order Type: BME/MLC
Due Date: Quarterly
Order Date: 3/25/2014
License Status: Active
Requirements: APHP Report
Received: Report from Rob Hunt with supporting documents

Physician: Linda C. Clemons, M.D.
Order Type: MLC
Due Date: Monthly
Order Date: 11/22/2022
License Status: Active
Requirements: Administrative Fine \$5,000 (To be paid in full no later than 9/20/2023)
Monthly payments of \$500
Received: \$500 payment received 4/4/2023
Administrative Fine balance \$2,500

Physician: Daniel Clanton Clower, M.D.
Order Type: MLC
Due Date: Quarterly
Order Date: 1/22/2015
License Status: Active
Requirements: Limited Prescribing
Worksite report from Dr. Park T. Chittom
Received: PDMP Complaint
Report from Dr. Chittom

Physician: Ran Halleluyan, M.D.
Order Type: MLC
Due Date: Quarterly
Order Date: 9/28/2022
License Status: Active-Restricted
Requirements: Psychiatrist Report
Received: Report from Dr. Harold Veits

Physician: George Edward Smith Hipp, M.D.
Order Type: BME/MLC
Due Date: Quarterly
Order Date: 2/24/2021
License Status: Active-Restricted
Requirements: APHP Report
CPEP Compliance Report
Received: Report from Rob Hunt with supporting documents
Final CPEP Report

Physician: Mark Koch, D.O.
Order Type: MLC
Due Date: Quarterly
Order Date: 10/25/2022
License Status: Active-Restricted
Requirements: APHP Report
CPEP Compliance Report
Received: Report from Rob Hunt with supporting documents
Compliance Email from CPEP

Physician: Barry Neal Lumpkins, M.D.
Order Type: MLC
Due Date: Quarterly
Order Date: No order in place
License Status: Active
Requirements: Check PDMP Quarterly
Received: PDMP Compliant

Physician: Edith Helga Gubler McCreadie, M.D.
Order Type: MLC
Due Date: Quarterly
Order Date: 9/10/2019
License Status: Active-Probation
Requirements: Limited Prescribing
Administrative Cost \$40,693.02 – Paid in Full 10/31/2022.
Administrative Fine \$5,000 - Paid in Full 3/31/2023.
Monthly payments of 1,130.37
Received: PDMP Complaint
\$478.52 payment received 3/31/2023.

Physician: Kenneth Eugene Roberts, M.D.
Order Type: BME/MLC
Due Date: Quarterly
Order Date: 2/6/2014
License Status: Active
Requirements: Chaperon
Staff/Patient Surveys
Limited Practice
Received: Compliance Memo from RK Johnson

Physician: Frances Delaine Salter, M.D.
Order Type: MLC
Due Date: Quarterly
Order Date: 10/4/2005
License Status: Active
Requirements: APHP Report
Received: Report from Rob Hunt with supporting documents

Physician: Hobert James Sharpton, D.O.
Order Type: MLC
Due Date: Quarterly
Order Date: No order in place
License Status: Active
Requirements: Check PDMP Quarterly
Received: PDMP Compliant

Physician: Colin G. Stafford, M.D.
Order Type: MLC
Due Date: Quarterly
Order Date: 2/24/2021
License Status: Active
Requirements: APHP Report
Received: Report from Rob Hunt with supporting documents

Physician: Charles R. Thompson, M.D.
Order Type: MLC
Due Date: Quarterly
Order Date: 10/27/2021
License Status: Active
Requirements: Check PDMP Quarterly
Received: PDMP Compliant

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,

Complainant,

v.

TARIK YAHIA FARRAG, M.D.,

Respondent.

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CASE NO.: 2023-023

**FIRST AMENDED ADMINISTRATIVE COMPLAINT AND
PETITION FOR SUMMARY SUSPENSION OF LICENSE**

COMES NOW the Alabama State Board of Medical Examiners (hereinafter “the Board”), by and through its counsel, and, in accordance with Ala. Admin. Code R. 545-X-3-.03(13), submits this First Amended Administrative Complaint and Petition for Summary Suspension of License to revoke or sanction TARIK YAHIA FARRAG, M.D.’s (hereinafter “Respondent”) medical license under Ala. Code § 34-24-361(e).

JURISDICTION

1. On or about January 23, 2013, Respondent, TARIK YAHIA FARRAG, M.D., was issued license number MD.32237, to practice medicine in the state of Alabama. He has maintained an Alabama medical license since 2013 and was licensed at all times material to this complaint.

FACTS

2. On or about January 23, 2023, a representative of the Federation of State Medical Boards (“FSMB”) contacted the Board to report that Respondent had submitted forged documents in connection with his application for privileges within the Sarasota Memorial Health Care system (“Sarasota”), which operates one or more health care institutions. According to the FSMB representative, during the credentialing process, a representative of Sarasota had contacted J.

Drew Prosser, M.D., Residency Program Director, Department of Otolaryngology, August University Medical College of Georgia, to verify the details of Respondent's residency. Respondent had represented to Sarasota that he completed three years of residency under Dr. Prosser; however, when contacted, Dr. Prosser informed Sarasota that Respondent had been terminated for professionalism issues after Program Year 1.

3. Dr. Prosser identified four fraudulent documents created by Respondent that were falsely attributed to Dr. Prosser. These documents were submitted by Respondent to Sarasota in connection with his application for privileges. In addition, Respondent created a fake email address that he attributed to Dr. Prosser, and Respondent corresponded with Sarasota using this fake email address as if he were Dr. Prosser. The fraudulent documents contained statements attributed to Dr. Prosser, as well as signatures of Dr. Prosser, which were all fraudulent. Moreover, Dr. Prosser stated that the training certificate submitted by Respondent to Sarasota, which purported to be a certificate from the Medical College of Georgia at Augusta, had been altered.

4. Based on these allegations, the Board reviewed Respondent's submissions in connection with his application for a certificate of qualification and license to practice medicine in Alabama. On or about January 14, 2013, Respondent submitted Appendix B to his certificate of qualification ("COQ") application, which purports to be a "Certificate of Post Graduate Education Training." Under Ala. Code § 34-24-70(a)(2), a foreign medical graduate such as Respondent must complete three (3) years of post-graduate education to obtain a COQ. The document submitted to the Board by Respondent states that Respondent had completed "3(+)" years of post-graduate training from "7 (July) 2009 to June 6, 2012." The document answers "No" to three questions regarding, generally, any suspensions, probation, or limitations occurring during Respondent's residency. The document purports to be signed by "Stil Kountakis," who is identified in the

document as the “Residency Training Program Director.” All of the substantive information on this document is handwritten. Upon information and belief, this document is fraudulent.

5. Because Respondent had not completed three years of post-graduate training as required by Alabama law, he did not qualify for a COQ at the time he applied in January 2013.

6. Furthermore, Respondent answered “No” to questions 22 and 23 on his application for a COQ, which was submitted to the Board on or about January 14, 2013. Question 22 asks, “Have you ever been placed on academic or disciplinary probation by a medical school or postgraduate program.” Respondent answered “No” to this question; however, Respondent was placed on a remediation plan for repeated unprofessional behavior by his postgraduate program on or about March 7, 2011.

7. Question 23 of the COQ applications asks, “Have you ever been discipline for unprofessional conduct/behavior reasons by a medical school or postgraduate program?” Respondent answered “No” to this question; however, on or about May 25, 2011, Respondent was terminated from his postgraduate program for “violat[ing] the terms of his remediation plan by not demonstrating professionalism and adhering to ethical principles.”

CHARGES

8. The Board has investigated Respondent and has concluded that there is probable cause to believe that he has violated Ala. Code § 34-24-360.

COUNT ONE – FRAUD IN APPLYING FOR A CERTIFICATE OF QUALIFICATION AND LICENSE TO PRACTICE MEDICINE

9. On or about January 14, 2013, TARIK YAHIA FARRAG, M.D., committed fraud in applying for and procuring a certificate of qualification and a license to practice medicine in the state of Alabama when he submitted one or more fraudulent documents in connection with his application for a certificate of qualification, in violation of Ala. Code § 34-24-360(1).

**COUNT TWO – FRAUD IN APPLYING FOR A CERTIFICATE OF QUALIFICATION AND
LICENSE TO PRACTICE MEDICINE**

10. On or about January 14, 2013, TARIK YAHIA FARRAG, M.D., committed fraud in applying for and procuring a certificate of qualification and a license to practice medicine in the state of Alabama when represented that he had completed three years of postgraduate training at Georgia Health Sciences University when, in fact, he had not, in violation of Ala. Code § 34-24-360(1).

COUNT THREE – UNPROFESSIONAL CONDUCT

11. On or about November 28, 2022, and continuing through December 31, 2022, TARIK YAHIA FARRAG, M.D., committed unprofessional conduct when he fraudulently impersonated J. Drew Prosser, M.D., Residency Program Director at the Augusta University Medical College of Georgia, in connection with his application to obtain or renew privileges at the Sarasota Memorial Healthcare System, a healthcare institution, in violation of Ala. Admin. Code R. 545-X-4-.06 and Ala. Code § 34-24-360(2).

COUNT FOUR – UNPROFESSIONAL CONDUCT

12. On or about November 28, 2022, and continuing through December 31, 2022, TARIK YAHIA FARRAG, M.D., committed unprofessional conduct when he knowingly made one or more false and fraudulent statements in his application to obtain or renew privileges at the Sarasota Memorial Healthcare System, a healthcare institution, in violation of Ala. Admin. Code R. 545-X-4-.06(16) and Ala. Code § 34-24-360(2).

**COUNT FIVE – FRAUD IN APPLYING FOR A CERTIFICATE OF QUALIFICATION AND
LICENSE TO PRACTICE MEDICINE**

13. On or about January 14, 2013, TARIK YAHIA FARRAG, M.D., committed fraud in applying for and procuring a certificate of qualification and a license to practice medicine in the state of Alabama when he submitted or caused to be submitted an application for a certificate of

qualification in which he answered “No” to question 22 when, in fact, he had been placed on academic or disciplinary probation by a medical school or postgraduate program, in violation of Ala. Code § 34-24-360(1).

**COUNT SIX – FRAUD IN APPLYING FOR A CERTIFICATE OF QUALIFICATION AND
LICENSE TO PRACTICE MEDICINE**

14. On or about January 14, 2013, TARIK YAHIA FARRAG, M.D., committed fraud in applying for and procuring a certificate of qualification and a license to practice medicine in the state of Alabama when he submitted or caused to be submitted an application for a certificate of qualification in which he answered “No” to question 23 when, in fact, he had been disciplined for unprofessional conduct and behavior by a medical school or postgraduate program, in violation of Ala. Code § 34-24-360(1).

WHEREFORE, the foregoing premises considered, the Alabama State Board of Medical Examiners respectfully requests that the Medical Licensure Commission set a hearing on this First Amended Administrative Complaint, and order that TARIK YAHIA FARRAG, M.D., appear and answer the allegations contained in this First Amended Administrative Complaint. The Board requests that, at the conclusion of the hearing, the Commission revoke the license to practice medicine of Respondent, assess the maximum fine, and/or take such other actions as the Commission may deem appropriate based upon the evidence presented for consideration.

The Board further moves that the Order Temporarily Suspending License entered by the Commission on February 22, 2023, in the above-styled cause remain in full force and effect until a final disposition is entered by the Commission on this First Amended Administrative Complaint.

The Board requests that administrative costs be assessed against Respondent pursuant to Ala. Code § 34-24-381 and Commission Rule 545-X-3-.08(12)(e).

This Administrative Complaint and Petition for Summary Suspension of License is executed for and on behalf of the Board by its Executive Director pursuant to the instructions of the Board as contained in its resolution of February 16, 2023.

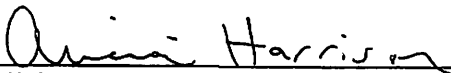
EXECUTED this 7th day of April, 2023.



William M. Perkins
Executive Director
ALABAMA STATE BOARD OF MEDICAL EXAMINERS



E. Wilson Hunter
General Counsel
ALABAMA STATE BOARD OF MEDICAL EXAMINERS
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Montgomery, AL 36101-0946
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Alicia Harrison
Associate General Counsel
ALABAMA STATE BOARD OF MEDICAL EXAMINERS
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Montgomery, AL 36101-0946
Telephone # (334) 242-4116
aharrison@albme.gov

CERTIFICATE OF SERVICE

I certify that on this 7th day of April, 2023, I served a true and correct copy of the foregoing on the following individuals by sending the same *via* U.S. Mail or electronic mail:

T. Kent Garrett
Kent Garrett Attorney at Law, LLC
200 South Lawrence Street
Montgomery, AL 36104
kent@kentgarettlaw.com

Honorable William R. Gordon
wrgordon@charter.net

Aaron Dettling, Esq.
adettling@almlc.gov

Rebecca Robbins
rrobbins@almlc.gov



OF COUNSEL

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

ALABAMA STATE BOARD OF)
 MEDICAL EXAMINERS,)
)
 Complainant,)
)
 vs.)
)
 ANDRE' VONTRAL HAYNES, M.D.,)
)
 Respondent.)

CASE NO.: 2023-044

NOTICE OF INTENT TO CONTEST REINSTATEMENT

Comes now the Alabama State Board of Medical Examiners ("the Board"), under ALA. CODE § 34-24-337 (2007), and gives notice of the Board's intent to contest the reinstatement of the license to practice medicine in Alabama of Respondent **Andre' Vontral Haynes, M.D.** ("Respondent"), license number MD.29119. The Board has probable cause to believe that grounds exist for the denial of the application for reinstatement and will exhibit the same in its forthcoming Administrative Complaint.

The Board requests that a hearing be scheduled before the Medical Licensure Commission prior to a decision regarding the reinstatement of Respondent's license to practice medicine in Alabama.

EXECUTED this 27th day of March, 2023.



William M. Perkins
 Executive Director
 ALABAMA STATE BOARD OF MEDICAL EXAMINERS

s/ Alicia Harrison

Alicia Harrison, Associate General Counsel
 ALABAMA STATE BOARD OF MEDICAL EXAMINERS
 Post Office Box 946
 Montgomery, Alabama 36101-0946
 Telephone: 334-833-0167
 Email: aharrison@albme.gov

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,

Complainant,

v.

CARLOS A. LIOTTA, M.D.,

Respondent.

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CASE NO. 2023-097

ADMINISTRATIVE COMPLAINT

COMES NOW the Alabama State Board of Medical Examiners (“the Board”), by and through its counsel, and submits this Administrative Complaint seeking to reprimand the medical license of CARLOS A. LIOTTA, M.D. (“Respondent”), and to assess an administrative fine against him, under Ala. Code § 34-24-361.

JURISDICTION

1. On May 22, 2013, Respondent was duly licensed to practice medicine in the State of Alabama, having been issued license number MD.32516, and the same being currently active. Respondent maintained a license to practice medicine in Alabama at all times relevant to the matters asserted herein.

FACTS

2. On July 29, 2022, the Medical Licensure Commission (“the Commission”) issued a Consent Order wherein Respondent was ordered to obtain a total of 50 AMA PRA Category 1 Credits™ or equivalent continuing medical education (“CME”) prior to December 31, 2022, as a result of his failure to obtain the required number of CME credits required for the renewal of his 2022 license. Respondent was further ordered to pay an administrative fine in the amount of \$2,500.00.

3. In early 2023, Respondent was included in the Board's CME audit for calendar year 2022. It was discovered that Respondent failed to obtain 50 credits of CME by December 31, 2022, as ordered by the Commission. Instead, he acquired only 45 valid credits.

4. On or about February 7, 2023, the Board received correspondence from Respondent stating that he mistakenly interpreted the Commission's Consent Order to read that he "only needed 25 regular annual credits plus the fine paid on 2022." He further stated "I feel ashamed that I misinterpreted the order from the board from last year and that now I am 5 credits short."

CHARGES

5. The Board has investigated Respondent and based on that investigation, has concluded that there is probable cause to believe that Respondent has violated Ala. Code § 34-24-360 and Medical Licensure Commission Rule 545-X-4-.02.

COUNT ONE – UNPROFESSIONAL CONDUCT

6. On or about ugh December 31, 2022, CARLOS A. LIOTTA, M.D., failed to abide by the terms set out in an order entered by the Medical Licensure Commission when he failed to obtain fifty (50) AMA PRA Category 1 Credits™ or equivalent continuing medical education ("CME") prior to December 31, 2022, in violation of Ala. Code § 34-24-360(23) and Ala. Admin. R. 545-X-4-.06(6).

WHEREFORE, the Board moves the Commission to set a hearing on this Administrative Complaint, and order that Respondent, CARLOS A. LIOTTA, M.D., appear and answer the allegations contained herein. The Board further moves that, at the conclusion of the hearing, the Commission reprimand Respondent's license to practice medicine in Alabama, assess an administrative fine in the amount of \$5,000, impose the requirement that Respondent obtain *a total of 75 credits* of continuing medical education prior to December 31, 2023, and take such other


actions as the Commission may deem appropriate based upon the evidence presented for consideration.

The Board is continuing the investigation of Respondent and said investigation may result in additional charges being prepared and filed as an amendment to this Administrative Complaint.


The Board requests that administrative costs be assessed against Respondent pursuant to Ala. Code § 34-24-381 and Commission Rule 545-X-3-.08(12)(e).

This Administrative Complaint is executed for and on behalf of the Board by its Executive Director pursuant to the instructions of the Board as contained in its resolution of March 16, 2023, a copy of which is attached hereto and incorporated herein.

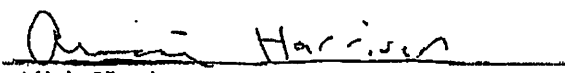
EXECUTED this 4th day of April, 2023.



William M. Perkins, Executive Director
Alabama State Board of Medical Examiners



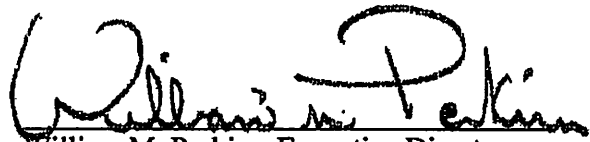
E. Wilson Hunter, General Counsel
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Alicia Harrison
Associate General Counsel
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Montgomery, AL 36101-0946
Telephone # (334) 833-0167
aharrison@albme.gov


STATE OF ALABAMA)
)
COUNTY OF MONTGOMERY)

Before me, the undersigned, personally appeared William M. Perkins, who being by me first duly sworn, deposes and says that he, in his capacity as Executive Director of the Alabama State Board of Medical Examiners, has executed the contents of the foregoing Complaint and affirms that the contents thereof are true and correct to the best of his knowledge, information, and belief.


William M. Perkins, Executive Director
Alabama State Board of Medical Examiners

SWORN TO AND SUBSCRIBED before me this 4th day of April,
2023.




Notary Public
My Commission Expires: 4/14/2023

STATE OF ALABAMA)
MONTGOMERY COUNTY)

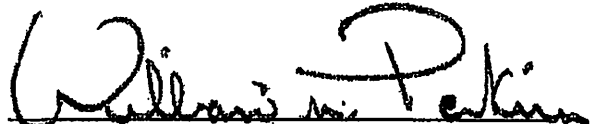
A F F I D A V I T

Before me, the undersigned, personally appeared William M. Perkins, Executive Director of the Alabama State Board of Medical Examiners, who, being by me first duly sworn deposes and says as follows:

The Alabama State Board of Medical Examiners in session on March 16, 2023, a quorum of the members of the Board being present, conducted an investigation into the medical practice of CARLOS A. LIOTTA, M.D. At the conclusion of the discussion, the Board adopted the following resolution:

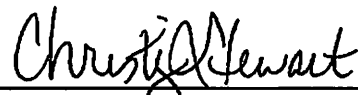
Carlos A. Liotta, M.D., Sheffield, AL After consideration of investigative information, the Credentials Committee recommended filing an Administrative Complaint with the Medical Licensure Commission seeking to reprimand Dr. Liotta's medical license, to assess a fine in the amount of \$5,000, and to impose the requirement that Dr. Liotta obtain a total of 75 *AMA PRA Category 1 Credits™* or equivalent continuing medical education prior to December 31, 2023, on the ground of unprofessional conduct, a violation of Ala. Code § 34-24-360(2). The motion was adopted without objection.

I further certify that the foregoing resolution was adopted by the Alabama State Board of Medical Examiners on the 16th day of March, 2023.


William M. Perkins, Executive Director
Alabama State Board of Medical Examiners

SWORN TO AND SUBSCRIBED before me this the 4th day of April, 2023.




Notary Public
My commission expires: 4/14/2023

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

V.

CASE NO. 2023-088

**WILLIAM ARNOLD POWELL, III,
M.D.,**

Respondent.

ADMINISTRATIVE COMPLAINT

COMES NOW the Alabama State Board of Medical Examiners ("the Board"), by and through its counsel, and submits this Administrative Complaint seeking to reprimand the medical license of **WILLIAM ARNOLD POWELL, III, M.D.** ("Respondent"), and to assess an administrative fine against him, under Ala. Code § 34-24-361.

JURISDICTION

1. On July 24, 1985, Respondent was duly licensed to practice medicine in the State of Alabama, having been issued license number MD.12246, the same being currently active. Respondent maintained a license to practice medicine in Alabama at all times relevant to the matters asserted herein.

FACTS

2. On August 24, 2022, the Medical Licensure Commission (“the Commission”) issued a Consent Order wherein Respondent was ordered to obtain a total of fifty (50) AMA PRA Category 1 Credits™ or equivalent continuing medical education (“CME”) prior to December 31, 2022, as a result of his failure to obtain the required number of CME credits required for the

renewal of his 2022 license. Respondent was further ordered to pay an administrative fine in the amount of \$2,000.00.

3. On or about December 27, 2022, Respondent submitted, or caused to be submitted, an Alabama Medical License Renewal Application for calendar year 2023, wherein Respondent certified that the annual minimum CME requirement of twenty-five (25) credits had been met or would be met by December 31, 2022. Respondent further represented that supporting documents could be produced if audited.

4. In January of 2023, the Board discovered that Respondent failed to obtain fifty (50) credits of CME by December 31, 2022, as ordered by the Commission. Instead, he acquired only two (2) valid credits.

5. On or about February 9, 2023, the Board received correspondence from Respondent stating that he misinterpreted an email from the Board and thought he had until January 15, 2023, to obtain his CME for 2022, as opposed to a January 15, 2023, deadline for submitting documentation showing the credits were earned in 2022.

6. He obtained forty-eight (48) CME credits on January 23, 2023, and was under the impression those credits would fulfill his 2022 CME requirement.

CHARGES

7. The Board has investigated Respondent and based on that investigation, has concluded that there is probable cause to believe that Respondent has violated Ala. Code § 34-24-360 and Medical Licensure Commission Rule 545-X-4-.02.

COUNT ONE – FAILURE TO MEET BASIC CONTINUING MEDICAL EDUCATION REQUIREMENT

8. On or about December 31, 2022, **WILLIAM ARNOLD POWELL, III, M.D.** failed to obtain the required fifty (50) credit hours of continuing medical education for calendar year 2022, in violation of Ala. Code § 34-24-360(23) and Ala. Admin. R. 545-X-5-.02.

COUNT TWO – UNPROFESSIONAL CONDUCT

9. On or about December 27, 2022, **WILLIAM ARNOLD POWELL, III, M.D.** made a fraudulent or untrue statement to the Board when he submitted, or caused to be submitted, an application to renew his medical license for calendar year 2023 on which he certified that he had met the annual number of continuing medical education requirement of twenty-five (25) credits, in violation of Ala. Code § 34-24-360(17).

COUNT THREE – UNPROFESSIONAL CONDUCT

10. On or about December 31, 2022, **WILLIAM ARNOLD POWELL, III, M.D.** failed to abide by the terms set out in an order entered by the Medical Licensure Commission when he failed to obtain the required fifty (50) MA PRA Category 1 continuing medical education credits for calendar year 2022, in violation of Ala. Code § 34-24-360(2) and Ala. Admin. R. 545-X-4-.06(6).

WHEREFORE, the Board moves the Commission to set a hearing on this Administrative Complaint, and order that Respondent, **WILLIAM ARNOLD POWELL, III, M.D.** appear and answer the allegations contained herein. The Board further moves that, at the conclusion of the hearing, the Commission reprimand Respondent's license to practice medicine in Alabama, assess an administrative fine in the amount of \$5,000, impose the requirement that Respondent obtain *a total of seventy (75) credits* of continuing medical education prior to December 31, 2023, and take

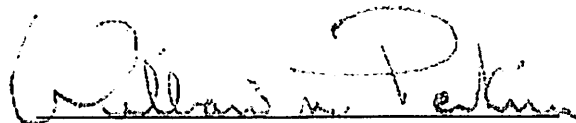
such other actions as the Commission may deem appropriate based upon the evidence presented for consideration.

The Board is continuing the investigation of Respondent and said investigation may result in additional charges being prepared and filed as an amendment to this Administrative Complaint.


The Board requests that administrative costs be assessed against Respondent pursuant to Ala. Code § 34-24-381 and Commission Rule 545-X-3-.08(12)(e).

This Administrative Complaint is executed for and on behalf of the Board by its Executive Director pursuant to the instructions of the Board as contained in its resolution of March 16, 2023, a copy of which is attached hereto and incorporated herein.

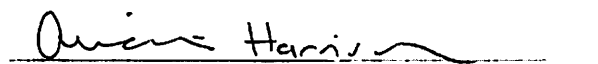
EXECUTED this 23rd day of March, 2023.



William M. Perkins, Executive Director
Alabama State Board of Medical Examiners



E. Wilson Hunter, General Counsel
Alabama State Board of Medical Examiners
Post Office Box 946
Montgomery, Alabama 36101-0946
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Alicia Harrison
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aharrison@albme.gov

STATE OF ALABAMA)
)
COUNTY OF MONTGOMERY)

Before me, the undersigned, personally appeared William M. Perkins, who being by me first duly sworn, deposes and says that he, in his capacity as Executive Director of the Alabama State Board of Medical Examiners, has executed the contents of the foregoing Complaint and affirms that the contents thereof are true and correct to the best of his knowledge, information, and belief.


William M. Perkins, Executive Director
Alabama State Board of Medical Examiners

SWORN TO AND SUBSCRIBED before me this 23rd day of March,
2023.




Notary Public
My Commission Expires: 4/14/2023

STATE OF ALABAMA)
MONTGOMERY COUNTY)

A F F I D A V I T

Before me, the undersigned, personally appeared William M. Perkins, Executive Director of the Alabama State Board of Medical Examiners, who, being by me first duly sworn deposes and says as follows:

The Alabama State Board of Medical Examiners in session on March 16, 2023, a quorum of the members of the Board being present, conducted an investigation into the medical practice of **WILLIAM ARNOLD POWELL, III, M.D.** At the conclusion of the discussion, the Board adopted the following resolution:


William Arnold Powell, III, M.D., Birmingham, AL. After consideration of investigative information, the Credentials Committee recommended filing an Administrative Complaint with the Medical Licensure Commission seeking an administrative fine in the amount of \$5,000, and imposing the requirement that Dr. Powell obtain 75 credits of continuing medical education prior to December 31, 2023, on the ground that Dr. Powell failed to meet the 2022 continuing medical education requirement, a violation of Ala. Code § 34-24-360(23). The motion was adopted without objection.

I further certify that the foregoing resolution was adopted by the Alabama State Board of Medical Examiners on the 16th day of March, 2023.


William M. Perkins, Executive Director
Alabama State Board of Medical Examiners

SWORN TO AND SUBSCRIBED before me this the 23rd day of March, 2023.




Notary Public
My commission expires: 4/14/2023

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,

Complainant,

v.

VANESSA ANN RAGLAND-PAYNE,
D.O.,

Respondent.

CASE NO. 2023-100

ADMINISTRATIVE COMPLAINT

COMES NOW the Alabama State Board of Medical Examiners ("the Board"), by and through its counsel, and submits this Administrative Complaint seeking to reprimand the medical license of VANESSA ANN RAGLAND-PAYNE, D.O. ("Respondent"), and to assess an administrative fine against her, under Ala. Code § 34-24-361.

JURISDICTION

1. On August 25, 1989, Respondent was duly licensed to practice medicine in the State of Alabama, having been issued license number DO.206. Her license is currently active. Respondent maintained a license to practice medicine in Alabama at all times relevant to the matters asserted herein.

FACTS

2. On or about December 1, 2021, Respondent submitted an Alabama medical license renewal application for calendar year 2022 wherein she certified that she would obtain the annual minimum continuing medical education ("CME") requirement of twenty-five (25) credits by December 31, 2021. Respondent further represented that supporting documents could be produced if audited.

3. Respondent did not obtain twenty-five (25) credits of CME by December 31, 2021. Rather, Respondent obtained only nine (9) valid credits.

4. As a result of her failure to obtain the required number of CME credits required for the renewal of her 2022 license, the Medical Licensure Commission (“the Commission”) entered a Consent Order on July 22, 2022, and ordered Respondent to obtain a total of fifty (50) AMA PRA Category 1 Credits™ or equivalent CME credits prior to December 31, 2022. Respondent was further ordered to pay an administrative fine in the amount of \$2,500.00.

5. In early 2023, Respondent was included in the Board’s CME audit for calendar year 2022. It was discovered that Respondent failed to obtain fifty (50) credits of CME by December 31, 2022, as ordered by the Commission. Instead, she acquired only thirty-four (34) valid credits.

6. On or about February 3, 2023, the Board received correspondence from Respondent stating that her responsibilities as a practitioner in a rural area and lack of computer skills prevented her from obtaining the necessary CME credits for 2022.

CHARGES

7. The Board has investigated Respondent and based on that investigation, has concluded that there is probable cause to believe that Respondent has violated Ala. Code § 34-24-360 and Medical Licensure Commission Rule 545-X-4-.02.

COUNT ONE – UNPROFESSIONAL CONDUCT

8. VANESSA ANN RAGLAND-PAYNE, D.O. failed to abide by the terms set out in the Consent Order entered by the Commission on July 22, 2022, when she failed to obtain fifty (50) AMA PRA Category 1 Credits™ or equivalent continuing medical education (“CME”) prior to December 31, 2022, in violation of Ala. Code § 34-24-360(23) and Ala. Admin. R. 545-X-4-.06(6).

WHEREFORE, the Board moves the Commission to set a hearing on this Administrative Complaint and order Respondent VANESSA ANN RAGLAND-PAYNE, D.O. to appear and answer the allegations contained herein. The Board further moves that, at the conclusion of the hearing, the Commission reprimand Respondent's license to practice medicine in Alabama, assess an administrative fine in the amount of \$5,000, impose the requirement that Respondent obtain *a total of 75 credits* of continuing medical education prior to December 31, 2023, and take such other actions as the Commission may deem appropriate based upon the evidence presented for consideration.

The Board is continuing the investigation of Respondent and said investigation may result in additional charges being prepared and filed as an amendment to this Administrative Complaint.

The Board requests that administrative costs be assessed against Respondent pursuant to Ala. Code § 34-24-381 and Commission Rule 545-X-3-.08(12)(e).

This Administrative Complaint is executed for and on behalf of the Board by its Executive Director pursuant to the instructions of the Board as contained in its resolution of March 16, 2023, a copy of which is attached hereto and incorporated herein.

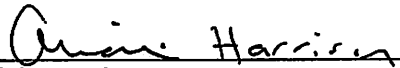
EXECUTED this 5th day of April, 2023.



William M. Perkins, Executive Director
Alabama State Board of Medical Examiners

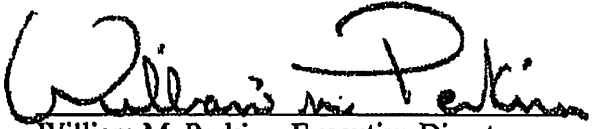


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Alicia Harrison
Associate General Counsel
ALABAMA STATE BOARD OF MEDICAL EXAMINERS
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Montgomery, AL 36101-0946
Telephone # (334) 833-0167
aharrison@albme.gov


STATE OF ALABAMA)
)
COUNTY OF MONTGOMERY)

Before me, the undersigned, personally appeared William M. Perkins, who being by me first duly sworn, deposes and says that he, in his capacity as Executive Director of the Alabama State Board of Medical Examiners, has executed the contents of the foregoing Complaint and affirms that the contents thereof are true and correct to the best of his knowledge, information, and belief.


William M. Perkins, Executive Director
Alabama State Board of Medical Examiners

SWORN TO AND SUBSCRIBED before me this 5th day of April,
2023.




Notary Public
My Commission Expires: 4/14/2023

STATE OF ALABAMA)
MONTGOMERY COUNTY)

A F F I D A V I T

Before me, the undersigned, personally appeared William M. Perkins, Executive Director of the Alabama State Board of Medical Examiners, who, being by me first duly sworn deposes and says as follows:

The Alabama State Board of Medical Examiners in session on March 16, 2023, a quorum of the members of the Board being present, conducted an investigation into the medical practice of VANESSA ANN RAGLAND-PAYNE, D.O. At the conclusion of the discussion, the Board adopted the following resolution:

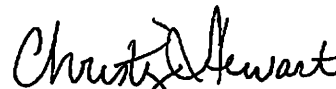
Vanessa A. Ragland-Payne, M.D., Haleyville, AL After consideration of investigative information, the Credentials Committee recommended filing an Administrative Complaint with the Medical Licensure Commission seeking to reprimand Dr. Ragland-Payne's medical license, to assess a fine in the amount of \$5,000, and to impose the requirement that Dr. Ragland-Payne obtain a total of 75 *AMA PRA Category 1 Credits™* or equivalent continuing medical education prior to December 31, 2023, on the ground of unprofessional conduct, a violation of Ala. Code § 34-24-360(2). The motion was adopted without objection.

I further certify that the foregoing resolution was adopted by the Alabama State Board of Medical Examiners on the 16th day of March, 2023.



William M. Perkins, Executive Director
Alabama State Board of Medical Examiners

SWORN TO AND SUBSCRIBED before me this the 5th day of April, 2023.



Notary Public

My commission expires: 4/14/2023

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

DAVID G. LEMAK, M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2023-064

CONSENT DECREE

This matter comes before the Medical Licensure Commission of Alabama (“the Commission”) on the Administrative Complaint (“the Administrative Complaint”) filed by the Alabama State Board of Medical Examiners (“the Board”) on March 2, 2023. The Board and the Respondent, David G. Lemak, M.D. (“Respondent”), have entered into a Joint Settlement Agreement (“the Settlement Agreement”), and have asked the Commission to approve the Settlement Agreement and to embody it in this Consent Decree.

General Provisions

1. **Approval of the Settlement Agreement.** After review, the Commission finds that the Settlement Agreement represents a reasonable and appropriate disposition of the matters asserted in the Administrative Complaint. The Commission therefore approves the Settlement Agreement.

2. **Mutual Agreement and Waiver of Rights.** Respondent has consented and agreed to the entry of this Consent Decree, and has agreed to be bound by the findings of fact, conclusions of law, and terms and conditions stated herein. Respondent has validly waived his rights to an administrative hearing before the Commission, to be represented by an attorney at such hearing, and to further notice and formal adjudication by the Commission of the charges arising from the Administrative Complaint. Respondent has also validly waived any and all rights to judicial review of this Consent Decree pursuant to Ala. Code § 34-24-367, the Alabama Administrative Procedure Act, Ala. Code §§ 41-22-1, *et seq.*, by extraordinary writ, or otherwise.

3. **Public Documents.** The Settlement Agreement and this Consent Decree shall constitute public records under the laws of the State of Alabama. The Settlement Agreement and this Consent Decree may otherwise be published or disclosed by the Board and/or the Commission without further notice to Respondent.

4. **Additional Violations.** Any violation of the requirements of this Consent Decree, or any new violation of state or federal laws or regulations, may result in the Board filing a petition to discipline Respondent's medical license. Nothing in this Consent Decree precludes the Board from bringing new administrative charges against Respondent based upon events and circumstances not raised in the Administrative Complaint.

5. **Retention of Jurisdiction.** The Commission retains jurisdiction for the purpose of entering such other and further orders and directives as may be required to implement the provisions of this Consent Decree.

6. **Judicial Notice.** Pursuant to Ala. Code § 41-22-13(4), Respondent is informed that the Board and/or the Commission may at any time take judicial notice of this Consent Decree, and/or any of the Findings of Fact herein, and may deem any of the findings or conclusions set forth in this Consent Decree to be conclusively established, all without further notice to Respondent.

Findings of Fact

1. Respondent has been licensed to practice medicine in the State of Alabama since January 24, 2001, having been issued license no. MD.23881. Respondent was so licensed at all relevant times.

2. On or about December 12, 2019, Respondent submitted or caused to be submitted an Alabama medical license renewal application for calendar year 2020, on which the certifications were made that the annual minimum continuing medical education ("CME") requirement of 25 credits had been met or would be met by December 31, 2019, and that Respondent had supporting documents if audited.

3. Respondent failed to obtain 25 credits of CME by December 31, 2019, and no documentation was provided for any valid credits earned in 2019. When queried by the Board about his lack of CME documentation, Respondent stated that

he had been “preparing/taking [his] oral recertification boards in orthopedic surgery, completing two research studies and training a new PA.”

Conclusions of Law

1. The Commission has jurisdiction over the subject matter of the Administrative Complaint, and over the parties, pursuant to Ala. Code § 34-24-310, *et seq.*

2. The Commission concludes, as a matter of law, that the determined facts constitute violations of Ala. Code §§ 34-24-360(2) and Ala. Admin. Code rules 545-X-4-.06(22) and 545-X-5-.02.

Order/Discipline

Based upon the foregoing Findings of Fact and Conclusions of Law, it is ORDERED, ADJUDGED, AND DECREED:

1. That Respondent is assessed an administrative fine in the amount of two thousand five hundred dollars (\$2,500.00). In accordance with Ala. Admin. Code r. 545-X-3-.08(8)(d)(i), Respondent is ordered to pay the administrative fine within 30 days of this Order.¹

¹ “The refusal or failure by a physician to comply with an order entered by the Medical Licensure Commission” may be a separate instance of “unprofessional conduct.” See Ala. Admin. Code r. 545-X-4-.06(6).

2. That Respondent is ORDERED to obtain 25 *additional* credits of AMA PRA Category 1™ or equivalent continuing medical education, in addition to the 25 credits already required for calendar year 2023, for a combined total of 50 credits, no later than December 31, 2023;

3. That no costs of this proceeding are assessed against Respondent at this time.

DONE on this the 19th day of April, 2023.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-04-19 12:23:59 CDT

Craig H. Christopher, M.D.
its Chairman

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

v.

DAVID G. LEMAK, M.D.,

Respondent.

CASE NO. 2023-064

JOINT SETTLEMENT AGREEMENT

COME NOW, the Alabama State Board of Medical Examiners ("the Board") and David G. Lemak, 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 January 24, 2001, having been issued license number MD.23881. Respondent was licensed at all times relevant to the matters asserted herein.

2. It is admitted by Respondent that on or about December 12, 2019, he submitted or caused to be submitted an Alabama medical license renewal application for calendar year 2020, on which the certification was made that the annual minimum continuing medical education ("CME") requirement of 25 credits had been met or would be met by December 31, 2019, and Respondent had supporting documents if audited.

3. It is admitted by Respondent that he failed to obtain 25 credits of CME by December 31, 2019, and that no documentation was provided for any valid credits. When queried

by the Board about his lack of CME documentation, Respondent stated that he had been "preparing/taking [his] oral recertification boards in orthopedic surgery, completing two research studies and training a new PA."

4. Respondent acknowledges and admits that the foregoing facts constitute grounds for the imposition of disciplinary sanctions against his license to practice medicine or osteopathy in Alabama, specifically, a violation of Ala. Code § 34-24-360(2) and Medical Licensure Commission Rule 545-X-4-.06. 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 him, 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 7th day of April,

2023.



DAVID G. LEMAK, M.D.

Kathryn Crawford Gentle
Attorney for Dr. David G. Lemak, M.D.

E. Wilson Hunter, 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 March 2, 2023. The Board and DAVID G. LEMAK, M.D. ("Respondent") (collectively "the Parties"), entered into a Joint Settlement Agreement, which was filed with the Commission on the 17th day of April, 2023. 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(2) and Medical Licensure Commission Rule 545-X-4-.06. 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(2) and Rule 545-X-4-.06.

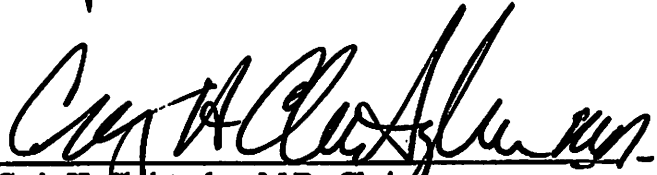
Based upon the foregoing findings of fact and conclusions of law, it is the ORDER of the Medical Licensure Commission:

1. That DAVID G. LEMAK, M.D., be, and is hereby assessed an administrative fine in the amount of Two Thousand Five Hundred Dollars (\$2,500.00). Said fine is due and payable to the Medical Licensure Commission within thirty (30) days of the date of this Consent Order.
2. That DAVID G. LEMAK, M.D, before December 31, 2023, shall obtain 25 *additional* credits of AMA PRA Category 1™ or equivalent continuing medical education.

The Medical Licensure Commission retains jurisdiction in this matter for the purpose of entering such further orders and directives as may be required to implement the provisions of this

Consent Order.

ORDERED this the 17th day of April, 2023.

A handwritten signature in black ink, appearing to read "Craig H. Christopher", written over a horizontal line.

Craig H. Christopher, M.D., Chairman,
MEDICAL LICENSURE COMMISSION OF ALABAMA



STATE of ALABAMA
MEDICAL LICENSURE COMMISSION

To: Medical Licensure Commission

From: Rebecca Robbins

Subject: Action Items

Date: 04/12/2023

1. Designation of Rebecca Robbins as the MLC's Red Tape Reduction Coordinator pursuant to Executive Order No. 735.
2. Designation of Rebecca Robbins as the MLC's Public Records Coordinator pursuant to Executive Order No. 734.

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

v.

AARON A.H. RAMIREZ, M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2023-033

ORDER

This matter is before the Medical Licensure Commission of Alabama on Respondent's request for continuance of his hearing, submitted via e-mail on April 7, 2023. The Commission notes that Respondent, on April 10, 2023, filed a waiver of the 120-day limitation on the summary suspension of his license to practice medicine. Upon consideration, the Motion to Continue is granted, and the hearing in this matter, previously scheduled for April 17, 2023, is hereby continued and reset for Thursday, July 27, 2023, at 10:00 a.m.

DONE on this the 19th day of April, 2023.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-04-19 12:21:48 CDT

Craig H. Christopher, M.D.
its Chairman

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

FIRST MI. LAST, M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION
OF ALABAMA**

CASE NO. _____

ORDER SETTING HEARING
For Contested Cases Initiated by Administrative Complaint
Three-Member Panel Hearing

The Medical Licensure Commission has received the verified Administrative Complaint filed by the Alabama State Board of Medical Examiners in this matter. The Commission has determined that this matter is due to be set down for hearing under the provisions of Ala. Code § 34-24-361(e). This Order shall serve as the Notice of Hearing prescribed in Ala. Admin. Code r. 545-X-3-.03(3), (4). The Commission's legal authority and jurisdiction to hold the hearing in this matter are granted by Article 8, Chapter 24, Title 34 of the Code of Alabama (1975), and the particular sections of the statutes and rules involved are as set forth in the Administrative Complaint and in this Order.

1. Service of the Administrative Complaint

A copy of the Administrative Complaint and a copy of this Order shall be served forthwith upon the Respondent, by personally delivering the same to Respondent if he or she can be found within the State of Alabama, or, by overnight courier, signature required, to Respondent's last known address if he or she cannot be found within the State of Alabama. The Commission further directs that personal service of process shall be made by _____, who is designated as the duly authorized agent of the Commission.

2. Appointment of, and Referral To, Hearing Panel; Initial Hearing Date

A hearing panel is hereby constituted, consisting of Commission members Christopher, Alsip, Nagrodzki, and Varner, and this matter is hereby referred to such hearing panel for the conduct of a hearing and the entry of proposed findings to be considered by the full Commission. *See* Ala. Code § 34-24-366; Ala. Admin. Code r. 545-X-3-.14.

This matter is set for a hearing as prescribed in Ala. Code §§ 34-24-360, *et seq.*, and Ala. Admin. Code Chapter 545-X-3, to be held on _____, _____, 2023, at ____:00 p.m., at 3300 Cahaba Road, Suite ____, Birmingham, Alabama, 35223. Unless otherwise specified by the Commission, the hearing will be held in person. All parties and counsel are expected to appear and to be prepared for the hearing at this date, time, and place.

3. Appointment of Hearing Officer

The Commission appoints the Honorable William R. Gordon, Circuit Judge (Ret.) as the Hearing Officer in this matter, pursuant to Ala. Admin. Code r. 545-X-3-.08. The Hearing Officer shall exercise general superintendence over all pre-hearing proceedings in this matter, and shall serve as the presiding officer at the hearing, having and executing all powers described in Ala. Admin. Code r. 545-X-3-.08(1)(a)-(g).

4. Answer

Respondent shall file an Answer, as prescribed in Ala. Admin. Code r. 545-X-3-.03(6), within 20 calendar days of the service of the Administrative Complaint. If Respondent does not file such an Answer, the Hearing Officer shall enter a general denial on Respondent's behalf.

5. Rescheduling/Motions for Continuance

All parties and attorneys are expected to check their schedules immediately for conflicts. Continuances will be granted only upon written motion and only for good cause as determined by the Chairman of the Medical Licensure Commission. Continuances requested on grounds of engagement of legal counsel on the eve of the hearing will not be routinely granted.

6. Case Management Orders

The Hearing Officer is authorized, without further leave of the Commission, to enter such case management orders as he considers appropriate to the particular case. Among any other matters deemed appropriate by the Hearing Officer, the Hearing Officer may enter orders addressing the matters listed in Ala. Admin. Code r. 545-X-3-.03(5)(a)-(f) and/or 545-X-3-.08(1)(a)-(g). All parties will be expected to comply with such orders.

7. Manner of Filing and Serving Pleadings

All pleadings, motions, requests, and other papers in this matter may be filed and served by e-mail. All filings should be e-mailed to:

- The Hearing Officer, William Gordon (wrgordon@charter.net);
- The Director of Operations of the Medical Licensure Commission, Rebecca Robbins (rrobbins@almlc.gov);
- General Counsel of the Medical Licensure Commission, Aaron Dettling (adettling@almlc.gov);
- General Counsel for the Alabama Board of Medical Examiners, Wilson Hunter (whunter@albme.gov); and
- Respondent/Licensee or his or her counsel, as appropriate.

The Director of Operations of the Medical Licensure Commission shall be the custodian of the official record of the proceedings in this matter.

8. Discovery

Consistent with the administrative quasi-judicial nature of these proceedings, limited discovery is permitted, under the supervision of the Hearing Officer. *See* Ala. Code § 41-22-12(c); Ala. Admin. Code r. 545-X-3-.04. All parties and attorneys shall confer in good faith with one another regarding discovery. If disputes regarding discovery are not resolved informally, a motion may be filed with the Hearing Officer, who is authorized to hold such hearings as appropriate and to make appropriate rulings regarding such disputes.

9. Publicity and Confidentiality

Under Alabama law, the Administrative Complaint is a public document. The hearing itself is closed and confidential. The Commission's written decision, if any, will also be public. *See* Ala. Code § 34-24-361.1; Ala. Admin. Code r. 545-X-3-.03(10)(h), (11).

10. Stipulations

The parties are encouraged to submit written stipulations of matters as to which there is no basis for good-faith dispute. Stipulations can help to simplify and shorten the hearing, facilitate the Commission's decisional process, and reduce the overall costs of these proceedings. Written stipulations will be most useful to the Commission if they are submitted in writing approximately 10 days preceding the

hearing. The Hearing Officer is authorized to assist the parties with the development and drafting of written stipulations.

11. Judicial Notice

The parties are advised that the Commission may take judicial notice of its prior proceedings, findings of fact, conclusions of law, decisions, orders, and judgments, if any, relating to the Respondent. *See* Ala. Code § 41-22-13(4); Ala. Admin. Code r. 545-X-3-.09(4).

12. Settlement Discussions

The Commission encourages informal resolution of disputes, where possible and consistent with public interest. If a settlement occurs, the parties should notify the Hearing Officer, the Commission's Director of Operations, and Commission's General Counsel. The terms of settlement are subject to the approval of the Commission. If approved, the Commission will generally incorporate the settlement terms into a Consent Decree.

13. Subpoenas

The Commission has the statutory authority to compel the attendance of witnesses, and the production of books and records, by the issuance of subpoenas. *See* Ala. Code §§ 34-24-363; 41-22-12(c); Ala. Admin. Code r. 545-X-3-.05. The parties may request that the Hearing Officer issue subpoenas for witnesses and/or

documents, and the Hearing Officer is authorized to approve and issue such subpoenas on behalf of the Commission. Service of such subpoenas shall be the responsibility of the party requesting such subpoenas.

14. Hearing Exhibits

- A. Parties and attorneys should, if possible, stipulate as to the admissibility of documents prior to the hearing.
- B. The use of electronic technology, USB drives, CD's, DVD's, etc. is acceptable and encouraged for voluminous records. If the Commission members will need their laptop to view documents, please notify the Hearing Officer prior to your hearing.
- C. If providing hard copies, voluminous records need not be copied for everyone but, if portions of records are to be referred to, those portions should be copied for everyone.
- D. If a document is to be referred to in a hearing, copies should be available for each Commission member, the Hearing Officer, the Commission's General Counsel, opposing attorney, and the court reporter (12 copies).
- E. Index exhibits/documents for easy reference.
- F. Distribute exhibit/document packages at the beginning of the hearing to minimize distractions during the hearing.

15. Administrative Costs

The Commission is authorized, pursuant to Ala. Code § 34-24-381(b) and Ala. Admin. Code r. 545-X-3-.08(9) and (10), to assess administrative costs against the Respondent if he or she is found guilty of any of the grounds for discipline set forth in Ala. Code § 34-24-360. The Board of Medical Examiners [**X**]has / []has

not given written notice of its intent to seek imposition of administrative costs in this matter.

16. Appeals

Appeals from final decisions of the Medical Licensure Commission, where permitted, are governed by Ala. Code § 34-24-367.

DONE on this the ____ day of _____, 2023.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

Craig H. Christopher, M.D.
its Chairman

Distribution:

- Honorable William R. Gordon (incl. Administrative Complaint)
- Rebecca Robbins
- Respondent/Respondent's Attorney
- E. Wilson Hunter
- Aaron L. Dettling

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

JANIE T. BUSH TESCHNER, M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2020-324

CONSENT DECREE

This matter comes before the Medical Licensure Commission of Alabama (“the Commission”) on the Administrative Complaint and Petition for Summary Suspension of License (“the Administrative Complaint”) filed by the Alabama State Board of Medical Examiners (“the Board”) on January 24, 2022. The Board and the Respondent, Janie T. Bush Teschner, M.D. (“Respondent”), have entered into a Joint Settlement Agreement (“the Settlement Agreement”), and have asked the Commission to approve the Settlement Agreement and to embody it in this Consent Decree.

General Provisions

1. **Protection of the Public.** The Board has stipulated and agreed that the terms and conditions of the Settlement Agreement and of this Consent Decree constitute a reasonable disposition of the matters asserted in the Administrative

Complaint, and that such disposition adequately protects the public's health and safety. After review, the Commission also finds that this Consent Decree is a reasonable and appropriate disposition of the matters asserted in the Administrative Complaint, and that the provisions of this Consent Decree will adequately protect the public safety. The Commission therefore approves the Settlement Agreement.

2. **Mutual Agreement and Waiver of Rights.** Respondent has consented and agreed to the entry of this Consent Decree, and has agreed to be bound by the findings of fact, conclusions of law, and terms and conditions stated herein. Respondent has validly waived her rights to an administrative hearing before the Commission, to be represented by an attorney at such hearing, and to further notice and formal adjudication by the Commission of the charges arising from the Administrative Complaint. Respondent has also validly waived any and all rights to judicial review of this Consent Decree pursuant to Ala. Code § 34-24-367, the Alabama Administrative Procedure Act, Ala. Code §§ 41-22-1, *et seq.*, by extraordinary writ, or otherwise.

3. **Public Documents.** The Settlement Agreement and this Consent Decree are public records under the laws of the State of Alabama. The Settlement Agreement and this Consent Decree will be reported by the Board and/or the Commission to the Federal National Practitioner Data Bank ("NPDB") and the Federation of State Medical Boards' ("FSMB") disciplinary data bank. The

Settlement Agreement and this Consent Decree may otherwise be published or disclosed by the Board and/or the Commission without further notice to Respondent.

4. **Additional Violations.** Any violation of the requirements of this Consent Decree, or any new violation of state or federal laws or regulations, may result in the Board filing a petition to discipline Respondent's medical license. Nothing in this Consent Decree precludes the Board from bringing new administrative charges against Respondent based upon events and circumstances not raised in the Administrative Complaint.

5. **Retention of Jurisdiction.** The Commission retains jurisdiction for the purpose of entering such other and further orders and directives as may be required to implement the provisions of this Consent Decree.

6. **Judicial Notice.** Pursuant to Ala. Code § 41-22-13(4), Respondent is informed that the Board and/or the Commission may at any time take judicial notice of this Consent Decree, and/or any of the Findings of Fact herein, and may deem any of the findings or conclusions set forth in this Consent Decree to be conclusively established, all without further notice to Respondent.

Findings of Fact

1. Respondent has been licensed to practice medicine in the State of Alabama since July 27, 1988, having been issued license no. MD.14227. Respondent was so licensed at all times relevant to these proceedings.

2. The factual allegations of the Administrative Complaint (§§2-25) are deemed to be conclusively established for purposes of this Consent Decree and all other matters within the jurisdiction of the Commission.

Conclusions of Law

1. The Commission has jurisdiction over the subject matter of the Administrative Complaint, and over the parties, pursuant to Ala. Code § 34-24-310, *et seq.*

2. The Board charged Respondent in Count One of the Administrative Complaint with being unable to practice medicine with reasonable skill and safety to her patients, in violation of Ala. Code § 34-24-360(19)a. Count Two charged Respondent with prescribing testosterone, a controlled substance, to herself in a non-emergency situation, in violation of Ala. Code § 34-24-360(2). Count Three charged Respondent with failing to maintain medical records which meet the minimum standards promulgated by the Commission for one or more of her patients, in violation of Ala. Code § 34-24-360(22).

3. Respondent stipulates to the allegations contained in Counts One and Three of the Administrative Complaint. Respondent denies Count Two.

Order/Discipline

Based upon the foregoing Findings of Fact and Conclusions of Law, it is ORDERED, ADJUDGED, AND DECREED:

1. That Respondent is adjudged GUILTY of violating Ala. Code §§ 34-24-360(19)a and (22) as charged in Counts One and Three of the Administrative Complaint.

2. That Count Two of the Administrative Complaint is DISMISSED WITH PREJUDICE.

3. That immediately upon submission and approval of Respondent's Application for Reinstatement, Respondent's license to practice medicine in the State of Alabama shall be REVOKED; such revocation shall be STAYED; that Respondent's license to practice medicine in the State of Alabama shall be placed on PROBATION, subject to the following terms and conditions of probation:

(a). Respondent shall enter into, maintain, and fully comply with a monitoring contract with Alabama Professionals Health Program ("APHP") so long as she maintains an Alabama medical license. The monitoring contract shall include, at a minimum and in addition to any other provisions that APHP deems appropriate, random urine drug testing, unannounced site visits, and monitoring of compliance with the Pine Grove aftercare recommendations (incorporated herein as terms (r)-(u) set forth below). Respondent's APHP Contract shall also provide for quarterly polygraph examinations by an examiner selected by APHP, provided, however, that if Respondent successfully completes her first four quarterly polygraphs without indications

of deception, then polygraph frequency may be reduced to bi-annually. Polygraph questions shall focus on Respondent's honesty about her chemical sobriety, adherence to professional boundaries, and the development of any new addictive behaviors.

(b). Respondent shall fully comply with all other recommendations made to her by APHP, Pine Grove Behavioral Health and Addiction Services, counselors, therapists, other providers assisting in her rehabilitation, the Board, and/or the Commission.

(c). Respondent shall practice medicine only pursuant to a written practice plan that complies with this Consent Decree and that has been approved in advance by the Commission. A practice plan will contain, at a minimum, specific information such as: the proposed name of the employer; the proposed scope of practice or type of services to be provided; the proposed days/hours of work; typical patient populations of the proposed practice; and the name of Respondent's proposed practice monitor and specifically how the practice monitor will be involved in monitoring and mentoring Respondent in her return to the active practice of medicine. A practice plan should also contain specific information and commitments about how Respondent, and Respondent's proposed employer, will ensure compliance with the conditions of probation set forth in this Consent Decree. Conclusory statements that

Respondent intends to comply are not likely to be found sufficient by the Commission.

(d). Respondent shall practice medicine only in a highly structured setting. Appropriate settings could include working for a hospital of sufficient size to provide opportunity for oversight and accountability, or entering a residency program as a resident. Other practice settings that provide a high degree of organizational structure, support, and professional oversight and accountability will also be considered. Solo practice will not be allowed.

(e). Respondent shall not be responsible for or engage in supervision of staff, students, residents, or other physicians. Respondent shall not be involved in the hiring, supervision, or firing of staff.

(f). Respondent shall not engage in *locum tenens* practice or moonlighting. Respondent shall work in only one location at a time.

(g). Respondent shall not provide cosmetic services, such as Botox, filler, or perform other cosmetically enhancing procedures.

(h). After Respondent's practice plan is approved by the Commission, Respondent should work no more than 20 hours per week for the first two weeks, and 30 hours per week for the third and fourth weeks. For the fifth and subsequent weeks, Respondent may increase her hours to full-time, working no more than 45 hours per week.

(i). Respondent shall not give food, money, or any other thing of value to patients. Respondent shall provide only medical care and shall follow all workplace policies regarding accepting gifts.

(j). Respondent shall not make social media posts or comments regarding her patients or regarding her medical practice.

(k). Respondent shall not treat or prescribe for herself or her family, friends, or co-workers.

(l). Respondent shall use electronic prescribing only. Paper prescription pads are not allowed.

(m). Respondent shall not allow her patients to have access to Respondent's cell phone or personal e-mail. All patient communications shall go through official workplace communications channels, systems, and devices.

(n). Respondent shall not treat patients with primary diagnoses of addiction or mental health problems.

(o). Respondent shall have a workplace monitor approved by the Commission as part of the Respondent's practice plan. The workplace monitor shall be responsible for providing regular feedback to Respondent about Respondent's workplace behavior, as well as providing updates to APHP. The

workplace monitor shall be a supervisor and not a subordinate or colleague of Respondent.

(p). Respondent shall refrain from consumption of all alcohol and controlled substances (including medical cannabis), whether or not prescribed, except with prior approval from APHP.

(q). Approximately six months after Respondent's practice plan is approved by the Commission, Respondent shall return to Pine Grove for a PEP recheck. The PEP recheck will include a polygraph examination, review of discharge recommendations, and assessment of compliance with maintaining appropriate workplace boundaries. Respondent is encouraged to contact PEP well in advance in order to secure a PEP recheck appointment for the week of her choice.

(r). Respondent shall attend weekly individual therapy sessions with a licensed professional counselor, psychologist, or psychiatrist.

(s). Respondent shall maintain a doctor-patient relationship with an addiction medicine provider to manage her psychiatric medications.

(t). A DBT (dialectic behavior therapy) group is recommended. However, as Dr. Teschner is discharging unemployed and with limited financial resources, it is recommended she first engage in individual therapy. Once she obtains employment, she can begin a DBT group.

(u). Respondent shall participate in 90 meetings in 90 days of Narcotics Anonymous/Alcoholics Anonymous. After the initial 90 days, Respondent may gradually decrease to four or five meetings per week. Respondent shall identify a temporary sponsor within two weeks of this Consent Decree, and a permanent sponsor within four weeks of this Consent Decree.

(v). Respondent shall complete continuing medical education courses in controlled substance prescribing and medical record keeping. Specifically, Respondent shall complete within 180 days of this Consent Decree the extended Medical Record Keeping Course offered by PBI Education (MR-17 Extended) and the extended Proper Prescribing Course offered by PBI Education (RX-21 Extended). Respondent shall complete these continuing medical education courses within one year of this Consent Decree.

(w). Respondent shall provide every employer an exact, complete, unmodified, and legible copy of this Consent Decree. Merely informing the employer of the existence of this Consent Decree, or that a copy of this Consent Decree may be obtained from the Commission, does not constitute compliance with this provision. In addition, Respondent shall be responsible for ensuring that the practice manager, head nurse, or other chief

administrative officer of every individual location or clinic at which Respondent practices medicine has a copy of this Consent Decree. The copies referred to in this paragraph shall be retained on file, and shall be produced for inspection upon request of the Alabama Board of Medical Examiners.

(x). The term of probation shall be 36 months from the date of this Consent Decree. The Commission may, in its sole and absolute discretion, extend the term of probation by an additional 24 months.

4. That the Board's Physician Monitor shall monitor Respondent's compliance with the requirements of this Consent Decree.

5. That no administrative fine nor costs of this proceeding are assessed against Respondent at this time.

DONE on this the 19th day of April, 2023.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-04-19 12:23:30 CDT

Craig H. Christopher, M.D.
its Chairman

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

v.

JANIE T. BUSH TESCHNER, M.D.,

Respondent.

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CASE NO.: 2020-324

JOINT SETTLEMENT AGREEMENT

COME NOW, the Alabama State Board of Medical Examiners (“the Board”) and Janie T. Bush Teschner, M.D., (“Respondent”) (hereinafter collectively referred to as “the Parties”) and enter into this Joint Settlement Agreement to resolve the disciplinary charges filed against Respondent’s medical license. In support thereof, the Parties state as follows:

JURISDICTION

1. Respondent has maintained a license to practice medicine in Alabama since July 27, 1988, under license number MD.14227. On January 24, 2022, the Board filed an Administrative Complaint with the Medical Licensure Commission (“the Commission”) seeking the revocation of Respondent’s medical license. Respondent’s license was also summarily suspended by order of the Commission on January 26, 2022. Respondent’s license has remained suspended during these proceedings.

STIPULATIONS

2. The Board charged Respondent in Count One of the Administrative Complaint with being unable to practice medicine with reasonable skill and safety to her patients, in

violation of Ala. Code § 34-24-360(19)a. Count Two charged Respondent with prescribing testosterone, a controlled substance, to herself in a non-emergency violation, in violation of Ala. Code § 34-24-360(2). Count Three charged Respondent with failing to maintain medical records which meet the minimum standards promulgated by the Commission for one or more of her patients, in violation of Ala. Code § 34-24-360(22).

3. Respondent stipulates to the allegations contained in Counts One and Three of the Administrative Complaint. Respondent denies Count Two. Respondent did provide copies of the requested medical records to the Board on May 26, 2022.

4. Accordingly, Respondent enters into this agreement with the Board to resolve the matter with the Board, to avoid the costs and uncertainties of further litigation, and to preserve her constitutional rights. Respondent stipulates that the Commission may enter an order finding that she has violated Ala. Code §§ 34-24-360(19)a and (22) as charged in the Administrative Complaint.

TERMS OF AGREEMENT

5. Respondent consents to the entry of an order by the Commission (1) revoking her medical license, (2) immediately staying said revocation, and (3) placing her medical license on probation for a term of not less than thirty-six (36) months; provided, the Commission may extend the probation for an additional twenty-four (24) months in its sole discretion. Respondent further consents to the Commission making such findings and facts and conclusions of law as may be necessary to enter said order.

6. Respondent further agrees to the following terms of probation:

- a. Respondent shall enter into and maintain a monitoring contract with Alabama Professionals Health Program (“APHP”) so long as she maintains an active Alabama medical license;
- b. Respondent shall fully comply with her APHP contract and shall fully comply with any and all recommendations made to her by APHP;
- c. Respondent shall fully comply with any and all recommendations made by Pine Grove Behavioral Health and Addiction Services, as well as any other reasonable treatment and recommendations, as may be determined by the Commission, made by counselors, therapists, and other providers assisting in her rehabilitation;
- d. Respondent agrees that the “Return to Work Recommendations” and “Aftercare Recommendations” found at pages 10-12 of the Pine Grove Professional Enhancement Program Discharge Summary issued on April 3, 2023, are incorporated by reference as if fully set forth herein, and that these recommendations are terms of Respondent’s probation; and
- e. Respondent shall complete continuing medical education courses in controlled substance prescribing and medical record keeping; specifically, Respondent shall complete within 180 days of the effective date of this Agreement the extended Medical Record Keeping Course offered by PBI Education (MR-17 Extended) and the extended Proper Prescribing Course offered by PBI Education (RX-21 Extended).

7. The Board agrees not to seek for the assessment of administrative costs nor the imposition of a fine. The Board further agrees to the dismissal of Count Two from the Administrative Complaint with prejudice.

8. Respondent consents and agrees to the entry by the Commission of a consent order consistent with the terms of this agreement and agrees to be bound by the findings of fact, conclusions of law, and terms and conditions stated therein. Respondent waives her right to an administrative hearing before the Commission, her right to be represented at such hearing by counsel of her choice and agrees to waive any and all rights to further notice and formal adjudication by the Board and the Commission of charges arising from the facts stated herein. Further, Respondent waives her right to judicial review of the consent order agreed to herein under applicable provisions of the Alabama Administrative Procedure Act, Ala. Code §41-22-1, *et. seq.* Respondent understands and acknowledges that the Joint Settlement Agreement and Consent Order, if approved and executed by the parties, shall constitute a public record under the laws of the state of Alabama.

9. Respondent acknowledges and agrees that the Joint Settlement Agreement and Consent Order constitute a public record of the Board and will be reported by the Board to the Federal National Practitioner Data Bank (“NPDB”) and the Federation of State Medical Boards (“FSMB”) disciplinary data bank. This Joint Settlement Agreement and Consent Order may be released by the Board to any person or entity requesting information concerning the licensure status in Alabama of Respondent.

10. The Board stipulates and agrees that the terms and conditions of the Joint Settlement Agreement and resulting Consent Order entered by the Commission constitute a

reasonable disposition of the matter stated herein, and that such disposition protects the public's health and safety.

STIPULATED AND AGREED this 6th day of April, 2023.

ACKNOWLEDGEMENTS

Respondent's Understanding

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

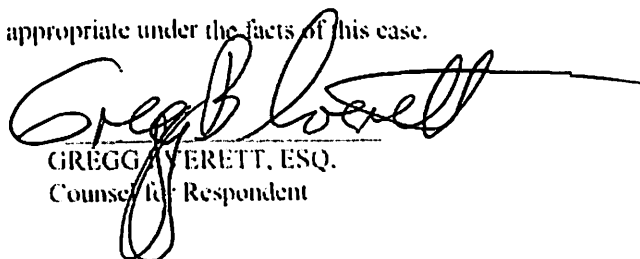
4/6/2023
DATE


JANIE T. BUSH TESCHNER, 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 she understands this Joint Settlement Agreement and consents to all its terms. I believe this Joint Settlement Agreement and the disposition set forth herein is appropriate under the facts of this case.

Apr 6, 2023
DATE


GREGG EVERETT, ESQ.
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.

04/07/2023

DATE



E. WILSON HUNTER

General Counsel

Alabama State Board of Medical Examiners

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

v.

LORNA J. BLAND, M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2022-170

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter came before the Medical Licensure Commission of Alabama for a contested case hearing on April 17, 2023. After receiving and considering all of the relevant evidence and argument, we find the Respondent, Lorna J. Bland, M.D., guilty of the disciplinary charges, and impose professional discipline as set out below.

I. Introduction and Statement of the Case

The respondent in this case is Lorna J. Bland, M.D. ("Respondent"). Respondent was first licensed by the Commission on January 22, 2003, having been issued license no. MD 25119. The disciplinary charges in this case arise out of Respondent's alleged failure to earn 25 continuing medical education ("CME") credits during 2021, as is required by the Commission's rules.

II. Procedural History

The Alabama Board of Medical Examiners filed an Administrative Complaint (“the Administrative Complaint”) on January 10, 2023. The Commission entered an “Order Setting Hearing” on February 3, 2023, setting his matter down for hearing on April 17, 2023, at 10:00 a.m. Upon attempting personal service at Respondent’s last known residence in Alabama and receiving information that Respondent was in California at the time, the Commission caused the Administrative Complaint and Order Setting Hearing to be served upon Respondent via Federal Express.

Respondent never asked the Commission to continue her hearing. Respondent did, however, send an e-mail to the Board’s counsel, Alicia Harrison (who, of course, cannot unilaterally continue a hearing before the Commission), requesting that the hearing be continued. The Board’s counsel forwarded this correspondence to the Commission’s General Counsel, Aaron Dettling. The next day, Mr. Dettling emailed Respondent: “Dr. Bland, Alicia Harrison forwarded your e-mail to me. The Commission intends to proceed with your hearing on Monday. We have the capability for you to participate remotely via Teams, if you wish, and we can be flexible to some extent to accommodate your schedule. What times on Monday would work for you?” No response to this offer was received.

On April 13, 2023, Respondent e-mailed Christy Stewart, the Board's paralegal, "I will not be able to appear due to illness."

On April 17, 2023, we conducted an evidentiary hearing as prescribed in Ala. Admin. Code r. 545-X-3. The case for disciplinary action was presented by the Board through its General Counsel, E. Wilson Hunter. Respondent did not appear, and the hearing was held *in absentia* as authorized by Ala. Code §§ 34-24-361(e)(10) and 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

1. Respondent was first licensed by the Commission on January 22, 2003, having been issued license no. MD 25119.
2. On or about December 14, 2021, Respondent submitted, or caused to be submitted, an Alabama medical license renewal application for calendar year 2022, wherein Respondent certified that the annual minimum continuing medical

education (“CME”) requirement of 25 credits had been met or would be met by December 31, 2021. Respondent further represented that supporting documents could be produced if audited. (Exhibit 3.)

3. Respondent was one of several hundred licensees randomly selected for CME compliance audits for the 2021 calendar year. As such, in March 2022, Respondent was requested to provide documentation substantiating her 25 CME credits earned in 2021.

4. Respondent produced evidence of only 15 AMA PRA Category 1 Credits, 10 short of the 25 credits required. (Exhibit 2.)

5. Respondent offered to make up the 10-credit deficiency with 10 credits she earned in February 2022; this was not allowed.

6. Respondent offered evidence that she participated in a “Biomed Graduate Discovery Day” at the University of Ottawa, but the evidence provided fails to demonstrate that this activity was accredited for *any* amount of AMA PRA Category 1 Credit. And, although Respondent has claimed that the “Biomed Graduate Discovery Day” was 10 hours in duration, the web site for the event seems to indicate that it lasted only three hours.¹

¹ <https://med.uottawa.ca/en/hidden/biomed-graduate-discovery-day-0>

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 her 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's CME rule provides, in relevant part:

Every physician licensed to practice medicine in Alabama who resides or practices in the state must earn in each calendar year, on or before December 31, not less than twenty-five (25) AMA PRA Category I Credits™ or equivalent as defined in this rule of continuing medical education. For the purpose of compliance with the continuing medical education (CME) basic requirement stated in paragraph (a) for only the 2010 calendar year, credits earned in the 2009 calendar year which are not used to meet the 2009 calendar year CME requirement may be carried forward and used to meet the 2010 calendar year requirement. Carrying forward credits shall not be allowed thereafter.

Ala. Admin. Code r. 545-X-5-.02(1).

5. It is “unprofessional conduct” within the meaning of Ala. Code § 34-24-360(2) for any physician to violate “any rule promulgated by the . . . Medical Licensure Commission pursuant to [its] rule making authority as set forth in the Administrative Procedures Act.” Ala. Admin. Code r. 545-X-4-.06(22).

6. The evidence presented at the hearing establishes that Respondent engaged in unprofessional conduct in violation of Ala. Code § 34-24-360(2), in that she violated Ala. Admin. Code r. 545-X-4-.06(22) by failing to obtain 25 AMA PRA Category I Credits™ during the 2021 calendar year.

V. Decision

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

1. That the Respondent, Lorna J. Bland, M.D., is adjudged **GUILTY** of unprofessional conduct in violation of Ala. Code § 34-24-360(2), Ala. Admin. Code r. 545-X-4-.06(22), and 545-X-5-.02(1).

2. That the Respondent, Lorna J. Bland, M.D., is **ORDERED** to earn a total of 50 AMA PRA Category I Credits™ during the 2023 calendar year.

3. That Respondent is **ASSESSED** an administrative fine in the amount of two thousand dollars (\$2,000.00). In accordance with Ala. Admin. Code r. 545-

X-3-.08(8)(d)(i), Respondent is **ORDERED** to pay the administrative fine within 30 days of this Order.²

4. That no costs of this proceeding are assessed against Respondent at this time.

DONE on this the 19th day of April, 2023.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-04-19 12:19:58 CDT

Craig H. Christopher, M.D.
its Chairman

² “The refusal or failure by a physician to comply with an order entered by the Medical Licensure Commission” may be a separate instance of “unprofessional conduct.” See Ala. Admin. Code r. 545-X-4-.06(6).