

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

August 23, 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.
Nina Nelson-Garrett, M.D.
Pamela Varner, M.D.

MEMBERS NOT PRESENT

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

Sam Aikens, Investigator
Rebecca Daniels, Investigator
Randy Dixon, Investigator
Amy Dorminey, Operations Director
Jason Green, Investigator
Greg Hardy, Investigator
Alicia Harrison, Associate General Counsel
Chris Hart, Technology
Effie Hawthorne, Associate General Counsel
Wilson Hunter, General Counsel
Roland Johnson, Physician Monitoring
William Perkins, Executive Director
Tiffany Seamon, Director of Credentialing
Christy Stewart, Paralegal

Call to Order: 9:02 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 July 27, 2023

Commissioner Alsip made a motion that the Minutes of July 27, 2023, be approved. A second was made by Commissioner Nagrodzki. The motion was approved by unanimous vote.

NEW BUSINESS

Full License Applicants

<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>
1. Noreen Abbas	Fatima Jinnah Medical College for Women, Univ of the Punjab	USMLE
2. Mina Aknouk	St Georges University of London	USMLE
3. Mohammad S M Aladawi	University of Jordan	USMLE
4. Tyler Scott Anderson	Florida Atlantic Univ Charles E. Schmidt College of Medicine	USMLE/FL
5. Alexandra Louise Argiroff	Rosalind Franklin University of Medicine and Science	USMLE/NY
6. Ananda Basu	Jawaharlal Inst of Postgrad Med Edu & Research, Pondicherry	FLEX/MN
7. Alexis Ann Bowen	University of Alabama School of Medicine Birmingham	USMLE
8. Jarrett Brown	Drexel University College of Medicine	USMLE/SC
9. Matthew Philip Butters	Creighton University School of Medicine	USMLE/GA
10. Connie Hai-Yee Chan	University of Maryland School of Medicine	USMLE/GA
11. Janet Chan Gomez	University of Medicine and Health Sciences	USMLE/PA
12. Patrick William Charget	Pacific Northwest U of Health Sci College of Osteopathic Med	COMLEX/MI
13. Sagar Kamlesh Chokshi	Rowan University School of Osteopathic Medicine	COMLEX/NJ
14. Addison L Ciavaglia-Brown	St Georges University of London	USMLE
15. Cary Siebers Crall	Harvard Medical School	USMLE/MA
16. David Andrew Dean	U of Medicine & Dentistry New Jersey R W Johnson Med School	NBME/NC
17. Caitlin Theresa Demarest	New York Medical College	USMLE/PA
18. McKenzie Erin Donald	University of Alabama School of Medicine Birmingham	USMLE
19. Denzil Douglas	Columbia University College of Physicians & Surgeons	USMLE/NY
20. Aimee Domarina Eyvazzadeh	UCLA, David Geffen School of Medicine	USMLE/MA
21. Julie Diane Gibbs	University of South Florida College of Medicine	USMLE/TX
22. Aayushka Gurung	Tribhuvan University	USMLE
23. Kristen Nicole Hall	University of Texas Medical School at San Antonio	USMLE
24. Jane Ingram Hampton	University of Alabama School of Medicine Birmingham	USMLE

CAC

<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>
25. Vikaash Hariharan	P S G Inst Med Sci Bharathiar University	USMLE
26. Blake Christian Harris	Alabama College of Osteopathic Medicine	COMLEX
27. Sohaib Hassan	Khyber Medical College, University of Peshawar	USMLE/OH
28. Benjamin Jacob Hazen	Northeastern Ohio Universities College of Medicine	USMLE/GA
29. Brittany Elyse Homcha	Pennsylvania State University College of Medicine	USMLE/PA
30. Brandon M Honeywell	University of Alabama School of Medicine Birmingham	USMLE/NC
31. George Huddleston	Medical University of South Carolina College of Medicine	USMLE/TX
32. Syed M Qasim Hussaini	National University of Singapore	USMLE
33. Kenechukwu H Ibeneme	All Saints University School of Medicine	USMLE
34. Jeffry Alan Jacobs	University of New Mexico School of Medicine	USMLE/KY
35. Tara Marion Jehu	University of Central Florida College of Medicine	USMLE
36. Tahirih Theone Jensen	Des Moines University of Osteopathic Medical Center	COMLEX/AZ
37. Jasmine Loretta Johnson	Edward Via College of Osteopathic Medicine-Auburn campus	COMLEX
38. Denise Roberts Johnson	Loma Linda University School of Medicine	NBME/CA
39. Brandon Que Jones	George Washington Uni School of Med and Health Sciences	USMLE/CA
40. Maggie E Jones-Carr	University of Arkansas College of Medicine	USMLE
41. Caleb Alan Judge	University of South Alabama College of Medicine	USMLE
42. Karishma Kadariya	North East Medical College	USMLE
43. Frederick Albert Kebbel	University of Alabama School of Medicine Birmingham	USMLE/GA
44. Bryan Thomas Kendricks	University of Louisville School of Medicine	USMLE
45. Christopher Francis Koch Jr.	Medical College of Georgia School of Medicine	USMLE/NY
46. Kaushika Kondragunta	N.R.I. Medical College, Guntur	USMLE
47. Kimberly Elaine Kopecky	Harvard Medical School	USMLE/CA
48. Caroline Annelise Lambert	University of Mississippi School of Medicine	USMLE
49. Nicholas Francis Lambert	Lake Erie College of Osteopathic Medicine	COMLEX/FL
50. Nathan David Lewandowski	University of Cincinnati College of Medicine	USMLE/VA
51. John Paschal Licata	Augusta University	USMLE/NC
52. Megumi Maguchi Aldrete	Autonomous University of Guadalajara	USMLE/MA
53. Aniket Malhotra	Maulana Azad Medical College, University of Delhi	USMLE/GA
54. Abraham Ezekiel Malkin	Tufts University School of Medicine	USMLE/CA
55. Brett Stuart Malone	University of Kansas School of Medicine Wichita	USMLE/TN
56. Mitchell Craig Moffett	William Carey University College of Osteopathic Medicine	COMLEX/MS
57. Khalid Mohammed Ameen	University of Baghdad	USMLE
58. Allison Muha	University of Louisville School of Medicine	USMLE
59. Aziza Nassar	University of Khartoum	USMLE/DC
60. Amanda Joanne Nelson	Medical College of Wisconsin	USMLE
61. John T Olsen	Alabama College of Osteopathic Medicine	COMLEX
62. Kristin Marie Olson	University of Alabama School of Medicine Birmingham	USMLE
63. Abdullah Osme	Canakkale March 18th University Medical Faculty	USMLE/PA
64. Sumita Paul	Government Medical College, Nagpur University	FLEX/MA
65. Jennifer Lee Prince	Lake Erie College of Osteopathic Medicine	COMLEX/NY
66. Jameson Kenerly Ragsdale	Augusta University	USMLE



<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>
67. Kevin Roby	Oakland University William Beaumont School of Medicine	USMLE
68. Michael Fitzgerald Rolon	Virginia Commonwealth University School of Medicine	USMLE/VA
69. Olayiwola A Salmon	Ahmadu Bello University	USMLE/LA
70. Andrew William Scharf	Virginia Commonwealth University School of Medicine	USMLE/TN
71. Kruthika Shanmugam	St. George's University School of Medicine, Grenada	USMLE/MI
72. Mithilesh Siddu	Andhra Medical College, Andhra University	USMLE/GA
73. Hasrat Sidhu	Dayanand Medical College & Hospital, Punjab University	USMLE
74. Justin Sayam Steinman	Philadelphia College of Osteopathic Medicine	COMLEX/MI
75. George R. M. Tamula	Univ of Tennessee Health Science Center College of Medicine	USMLE/OH
76. Fateeha Tariq	Sindh Medical College, University of Karachi	USMLE
77. Alon Tatsas	Tulane University School of Medicine	USMLE/LA
78. Earl Chandler Tedder	University of South Alabama College of Medicine	USMLE
79. Keith Andrew Thatch	Drexel University College of Medicine	USMLE/PA
80. Andrew Doyle Thomas	University of Alabama School of Medicine Birmingham	USMLE
81. Rohith Sagar Vadlamudi	University of Alabama School of Medicine Birmingham	USMLE/UT
82. Lexie Hester Vaughn	Mercer University School of Medicine	USMLE/TN
83. Satyam Hitendra Veean	Augusta University School of Medicine	USMLE/GA
84. Hannah Vickland	Des Moines University of Osteopathic Medical Center	COMLEX
85. Megan Anne Weber	University of Missouri Kansas City School of Medicine	USMLE
86. Belinda Williams	St. George's University School of Medicine, Grenada	USMLE
87. Barry Lane Williamson	University of Mississippi School of Medicine	USMLE
88. Kevin O Wortman	Edward Via College of Osteopathic Medicine-Auburn campus	COMLEX
89. John Wuthrich	Touro U College of Osteopathic Medicine	COMLEX/NM
90. Christopher Steven Wyatt	Edward Via College of Osteopathic Medicine-Auburn campus	COMLEX
91. Victor Mao Ye	Sidney Kimmel Medical College at Thomas Jefferson University	USMLE/FL
92. *Jordan P Harrison	Edward Via College of Osteo Medicine, Carolinas Campus	COMLEX
93. *Dustin J Plowman	University of California, San Francisco School of Medicine	USMLE/LA
94. *Neal Prakash	University of California, Irvine College of Medicine	USMLE/CA
95. *Brandon Michael Toy	Louisiana State University Medical Center in Shreveport	USMLE
96. *Jorge Sucar-Marquez	University of Medicine and Health Sciences, St. Kitts	USMLE
97. Daniel Aaron Grenier	Nova Southeastern University College of Medicine	COMLEX/FL
98. *Terri Jackson-Niiquaye	University of Miami Miller School of Medicine	NBME/VA
99. **Christopher D Nance	Philadelphia College of Osteopathic Medicine	COMLEX

**Approved pending acceptance and payment of NDC issued by BME.*

***Approved contingent upon agreement to convert APHP from State Assistance Agreement to five-year full Assistance Agreement at start of practice in Alabama and acceptance of NDC.*

A motion was made by Commissioner Alsip with a second by Commissioner Morris to approve applicant numbers one through ninety-nine (1-99) for full licensure. The motion was approved by unanimous vote.



Limited License Applicants

	<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>	<u>Location</u>	<u>License</u>
1.	Mahmoud E Abodorra	Alexandria Uni Faculty of Medicine	LL/AL	North Alabama Med Center IM	R
2.	Ahmed M Abouhamda	Ain Shams Univ Faculty of Medicine	LL/AL	North Alabama Med Center IM	R
3.	Sheeraz Gul Abro	Chandka Medical College Uni of Sind	LL/AL	UAB - Birmingham - Nephrology	R
4.	Zeel Adeshra	Saba University School of Medicine	LL/AL	UAB - Tuscaloosa - Family Med.	R
5.	Serdar Akkol	Istanbul Univ, Cerrahpasa Tip Fakultesi	LL/AL	UAB - Birmingham - Neurology	R
6.	Priyanka V Anvekar	Mahatma Gandhi Mission Med College	LL/AL	North Alabama Med Center IM	R
7.	Sayed Amena Basith	Medical University of the Americas	LL/AL	Crestwood Medical Ctr FM	R
8.	Sahil Bawa	Adesh Inst of Med Sciences & Research	LL/AL	UAB Selma FM	R
9.	Ameer Ashraf Bedwan	Virginia Commonwealth U Sch of Med	LL/AL	Baptist Health Montgomery FM	R
10.	Katie Lynn Carr	U of Med and Health Sci, St. Kitts	LL/AL	UAB Tuscaloosa FM	R
11.	Maida S Chaudhry	University of Health Sciences Lahore	LL/AL	Crestwood Medical Ctr IM	R
12.	Katlyn S Cummings	Virginia Commonwealth U Sch of Med	LL/AL	Baptist Health Montgomery FM	R
13.	Bibek Devkota	Kathmandu Medical College	LL/AL	UAB Birmingham CC	F
14.	Roshan Dinparastisaleh	Tabriz U of Med Sci Faculty of Med	LL/AL	North Alabama Med Center IM	R
15.	Mohamed Ezz Eldin	UT Rio Grande Valley School of Med	LL/AL	North Alabama Med Center IM	R
16.	Aishath S Farooq	Ziauddin Medical University	LL/AL	USA Health IM	R
17.	Ayodele O Gbadamosi	American University of The Caribbean	LL/AL	UAB Selma FM	R
18.	Junu Giri	Chitwan Medical College	LL/AL	Crestwood Medical Ctr IM	R
19.	Emmy Anne Graham	Alabama College of Osteo Medicine	LL/AL	North AL Med Ctr Psychiatry	R
20.	Amit Gupta	All India Institute of Medical Sciences	LL/AL	North Alabama Med Center IM	R
21.	Hussein R A Haidari	Hawler Univ School of Medicine	LL/AL	USA Health IM	R
22.	Tayyaba Haq	University of Health Sciences Lahore	LL/AL	North Alabama Med Center IM	R
23.	Tevin Jermez Hughley	Kansas City College of Med & Surgery	LL/AL	Baptist Health Montgomery FM	R
24.	Arpitha Roy Jammula	Univ of Medicine and Health Sciences	LL/AL	University of Alabama FM	R
25.	Hemant K Kattula	Avalon University School of Medicine	LL/AL	Baptist Health Montgomery FM	R
26.	Parneet Kaur	Sri Guru Ram Das Inst of Med Sci & Res	LL/AL	North Alabama Med Center IM	R
27.	Dion A Kencana	Universitas Indonesia	LL/AL	UAB Montgomery IM	R
28.	Sachin Khadka	Yichang Medical College	LL/AL	UAB Dept. of Nephrology	F
29.	Subekshya Khadka	Kathmandu Medical College	LL/AL	Crestwood Medical Ctr IM	R
30.	Sanaullah Khan	Ziauddin Medical University	LL/AL	North Alabama Med Center IM	R
31.	Humam M Khan	Maulana Azad Med College, U of Delhi	LL/AL	North Alabama Med Center IM	R
32.	Edward W Kim	Ben-Gurion University of Negev	LL/AL	East Alabama Health IM	R
33.	Shiva C Kodimala	Kurnool Med Col, NTR U of Health Sci	LL/AL	North Alabama Med Center IM	R
34.	Marwan A Mahmoud	Edward Via C of Osteo Med, Carolinas	LL/AL	Univ of Alabama FM	R
35.	Usama Oguz	Gaziantep Univ Faculty of Medicine	LL/AL	University of South Alabama IM	R
36.	Babu S Panickessery	Andhra Medical College, Andhra Univ	LL/AL	USA Health IM	R
37.	Venkatesh Panthangi	Osmania Medical College	LL/AL	North AL Med Ctr Psychiatry	R
38.	Prutha Rohit Pathak	Mahatma Gandhi Mission Med College	LL/AL	North Alabama Med Center IM	R
39.	Tumpa Patra	Bankura Sammilani Med, U of Calcutta	LL/AL	Crestwood Medical Center IM	R
40.	Indira Babu Poojary	Rajiv Gandhi Univ of Health Sciences	LL/AL	Crestwood Medical Center IM	R
41.	Lekshmi Ravi	Kannur Medical College	LL/AL	North Alabama Med Center IM	R



<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>	<u>Location</u>	<u>License</u>
42. Arshad Nazir Reshi	Yerevan State Medical University	LL/AL	North Alabama Med Center IM	R
43. Taha Saeed	University of Health Sciences Lahore	LL/AL	Baptist Health Montgomery FM	R
44. Mayal Singh Sandhu	American University of Antigua	LL/AL	North Alabama Med Center IM	R
45. Ramneet S Sekhon	American University of Antigua	LL/AL	Univ of Alabama Tuscaloosa FM	R
46. Iqra Shakoor	Peoples Med C for Girls, Liaquat Univ	LL/AL	North Alabama Med Center IM	R
47. Muhammad A Sheikh	Aga Khan Med College, Aga Khan Univ	LL/AL	USA Health IM	R
48. Mannat Singh	Kasturba Medical College, Mangalore	LL/AL	North Alabama Med Center IM	R
49. Neha Singh	Patna Medical College, Patna Univ	LL/AL	North Alabama Med Center IM	R
50. Kavena Sivakumar	St. George's Univ Sch of Med, Grenada	LL/AL	Univ of Alabama Tuscaloosa FM	R
51. Eru Sujakhu	Tribhuvan University	LL/AL	USA Health Pediatrics	R
52. Siri Tadikonda	Dr. N.T.R. University of Health Sciences	LL/AL	North Alabama Med Center IM	R
53. Seyed Javid Taghados	U of Med and Health Sci, St. Kitts	LL/AL	Thomas Hospital Infirmary IM	R
54. Syed Abdullah Uddin	UCLA Riverside School Med	LL/AL	USA Health Neurology	R
55. Justine J Vella	U of Med and Health Sci, St. Kitts	LL/AL	Univ of Alabama Tuscaloosa FM	R
56. Maria J Vera Sanchez	Pontifical Catholic Univ of Ecuador	LL/AL	USA Health Pediatrics	R
57. Jyoti Verma	Government Medical College Patiala	LL/AL	North Alabama Med Center IM	R
58. Hima V Voruganti	Gandhi Medical College, Bhopal	LL/AL	North Alabama Med Center IM	R
59. Monica Grace Zanghi	Alabama College of Osteopathic Med	LL/AL	USA Obstetrics and Gynecology	R

A motion was made by Commissioner Aldridge with a second by Commissioner Morris to approve applicant numbers one through fifty-nine (1-59) for limited licensure. The motion was approved by unanimous vote.

IMLCC Report

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

REPORTS

Physician Monitoring Report

The Commission received as information the physician monitoring report dated August 17, 2023. A copy of the report is attached as Exhibit "B".

Gary Bullock, D.O.

The Commission considered Dr. Bullock's request to amend the payment plan for a previously assessed administrative fine. A motion was made by Commissioner Nagrodzki with a

CAC

second by Commissioner Aldridge to enter an order granting Dr. Bullock's request with a final payment date of June 27, 2024. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "C".

APPLICANTS FOR REVIEW

David J. Martinez, M.D.

A motion was made by Commissioner Aldridge with a second by Commissioner Alsip to approve Dr. Martinez's application for full licensure. The motion was approved by unanimous vote.

Harijus Birk, M.D.

A motion was made by Commissioner Aldridge with a second by Commissioner Nagrodzki to approve Dr. Birk's application for full licensure pending execution of a Voluntary Agreement with the Alabama State Board of Medical Examiners. The motion was approved by unanimous vote.

Melissa A. West, M.D.

A motion was made by Commissioner Morris with a second by Commissioner Alsip to approve Dr. West's application for full licensure. The motion was approved by unanimous vote.

DISCUSSION ITEMS

Draft Standing Order Setting Hearing for Summary Suspension

A motion was made by Commissioner Morris with a second by Commissioner Falgout to approve the Standing Order Setting Hearing for Summary Suspensions for distribution. The motion was approved by unanimous vote. A copy of the Draft Standing Order is attached hereto as Exhibit "D".

Janie T. Teschner, M.D.

The Commission received an updated practice plan on behalf of Dr. Teschner for consideration. A motion was made by Commissioner Alsip with a second by Commissioner Morris to approve Dr. Teschner's practice plan. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "E".



Red Tape Reduction – Phase 1

The Commission received as information the Red Tape Reduction Phase 1 report submitted by Aaron Dettling, General Counsel and Rebecca Robbins, Director of Operations. In accordance with Executive Order No. 735, the Phase I report will be filed with the Governor's Office on or before September 15, 2023. A copy of the report is attached as Exhibit "F".

BME Rule for Publication: 540-X-12-.03 Requirements for the Issuance of a Qualified Alabama Controlled Substance Registration Certificate (QACSC)

The Commission received as information the BME Rule for Publication: 540-X-12-.03 Requirement for the Issuance of a Qualified Alabama Controlled Substance Registration Certificate (QACSC). A copy of the rule is attached as Exhibit "G".

BME Rule for Publication: 540-X-12-.02 General Requirements (QACSC-PA) and 540-X-18-.02 General Requirements (QACSC-NP)

The Commission received as information the BME Rule for Publication: 540-X-12-.02 General Requirements (QACSC-PA) and 540-X-18-.02 General Requirements (QACSC-NP). A copy of the rule is attached as Exhibit "H".

REQUESTS

Sharon Griffiths, M.D.

The Commission considered Dr. Griffiths' request for a payment plan of a previously assessed administrative fine. A motion was made by Commissioner Nagrodzki with a second by Commissioner Morris to enter an order and to have Roland Johnson, Director of Physician Monitoring, communicate to Dr. Griffiths the administrative fine is to be paid in full by December 31, 2023. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "I".

ADMINISTRATIVE FILINGS

Janaki Ram Prasad Earla, M.D.

The Commission received a Motion to Continue Hearing regarding the Administrative Complaint filed by the Alabama State Board of Medical Examiners. A motion was made by Commissioner Morris with a second by Commissioner Nagrodzki to enter an order resetting the



hearing for March 27, 2024. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "J".

Alvin Macon Stinson, III, M.D.

The Commission received as information Dr. Stinson's answer to the Administrative Complaint filed by the Alabama State Board of Medical Examiners.

Cosmin Dobrescu, M.D.

The Commission received as information Dr. Dobrescu's answer to the Administrative Complaint filed by the Alabama State Board of Medical Examiners.

Thomas P. Alderson, M.D.

The Commission received a proposed Joint Settlement Agreement and Consent Decree filed by the Alabama State Board of Medical Examiners. A motion as made by Commissioner Nagrodzki with a second by Commissioner Aldridge to enter an order declining the approval of the proposed Consent Decree and setting a hearing in this matter. The motion was approved by unanimous vote, with Commissioner Alsip abstaining from the vote. A copy of the Commission's order is attached hereto as Exhibit "K".

Rodney L. Dennis, M.D.

The Commission received a proposed Joint Settlement Agreement and Consent Decree filed by the Alabama State Board of Medical Examiners. A motion as made by Commissioner Alsip with a second by Commissioner Nagrodzki to enter an order declining the approval of the proposed Consent Decree and setting a hearing in this matter. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "L".

Charlie Wilson Dean, 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 hereto as Exhibit "M".



Barry G. Collins, M.D.

The Commission received a Joint Settlement Agreement and Consent Order between Dr. Collins and the Alabama State Board of Medical Examiners. A motion was made by Commissioner Nagrodzki with a second by Commissioner Morris to accept the Joint Settlement Agreement and to enter a Consent Decree incorporating its terms. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "N".

At 10:35 a.m., the Commission entered closed session pursuant to Alabama Code § 34-24-361.1 to hear and consider the following matter:


HEARINGS

Tarik Y. Farrag, M.D.


At the conclusion of this hearing, a motion was made by Commissioner Alsip with a second by Commissioner Morris to revoke Dr. Farrag's medical license and assess an administrative fine. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "O".

Meeting adjourned at 4:55 p.m.

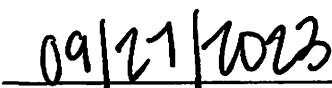
PUBLIC MEETING NOTICE: The next meeting of the Alabama Medical Licensure Commission was announced for Wednesday, September 27, 2023, beginning at 9:00 a.m.



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



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



Date Signed



EXHIBIT A

IMLCC Licenses Issued July 1, 2023 - July 31, 2023 (148)

Name	License Type	License Number	Status	Issue Date	Expiration Date	State of Principal Licensure
Vicki Ayn Rogove	MD	46959	Active	7/25/2023	12/31/2023	Arizona
Dale Patrick Curtis	MD	47037	Active	7/28/2023	12/31/2023	Arizona
Gregory Patrick Harders	MD	47039	Active	7/28/2023	12/31/2023	Arizona
Jesse Costales	MD	47055	Active	7/31/2023	12/31/2023	Arizona
Eric Fernandez	MD	46921	Active	7/18/2023	12/31/2023	Colorado
Jenna Stokes-Jenkins	DO	3345	Active	7/18/2023	12/31/2023	Colorado
Mark Edward Seib	MD	46946	Active	7/21/2023	12/31/2023	Colorado
Juliette Mandel	MD	46947	Active	7/21/2023	12/31/2023	Colorado
Suman Kumar Sawhney	MD	46949	Active	7/21/2023	12/31/2023	Colorado
Zoe Ann Lewis	MD	47038	Active	7/28/2023	12/31/2023	Colorado
Wendy R Quiles	MD	47054	Active	7/31/2023	12/31/2023	Colorado
Ali Saeed Chaudhary	MD	46897	Active	7/12/2023	12/31/2023	Delaware
Catilin Marie Elsenbeck	MD	46845	Active	7/5/2023	12/31/2023	Georgia
Mary Alice Noel	MD	46922	Active	7/18/2023	12/31/2023	Georgia
Stacy Michael Olliff	MD	46939	Active	7/19/2023	12/31/2023	Georgia
Zaid Kadhim Mahdi	MD	46973	Active	7/27/2023	12/31/2023	Georgia
Sonja Doughlin	MD	47062	Active	7/31/2023	12/31/2023	Georgia
Hailey E Sibbett	DO	3338	Active	7/6/2023	12/31/2023	Illinois
Morgan Walker Nesmith	MD	46870	Active	7/7/2023	12/31/2023	Illinois
Daniel Jeffrey Young	MD	46882	Active	7/11/2023	12/31/2023	Illinois
Ahmed Mohammed Hussain	MD	46896	Active	7/12/2023	12/31/2023	Illinois
Emily LeuVoy	MD	46910	Active	7/14/2023	12/31/2023	Illinois
Natalie Santiago Brown	MD	46962	Active	7/26/2023	12/31/2023	Illinois
Craig Martin Pawlowski	MD	46924	Active	7/18/2023	12/31/2023	Indiana
Victor F Coloso	MD	46937	Active	7/19/2023	12/31/2023	Indiana
Robert John Buynak	MD	46956	Active	7/24/2023	12/31/2023	Indiana
Joseph Mansour	MD	46965	Active	7/26/2023	12/31/2023	Indiana
Sarah Kathryn Gibbons	DO	3371	Active	7/28/2023	12/31/2023	Kansas
Julie Angela Doan	MD	46840	Active	7/5/2023	12/31/2023	Louisiana
Danoushka Loris Tememe	MD	46867	Active	7/7/2023	12/31/2023	Louisiana
Christopher George Trahan	MD	46913	Active	7/17/2023	12/31/2023	Louisiana
Scott Sullivan	MD	46914	Active	7/17/2023	12/31/2023	Louisiana
Matthew Wise	MD	46915	Active	7/17/2023	12/31/2023	Louisiana

Frank Joseph DellaCroce	MD	46916	Active	7/17/2023	12/31/2023	Louisiana
Ahmed Ghouse Mohiuddin	MD	46952	Active	7/24/2023	12/31/2023	Louisiana
Marie Elizabeth Mateo	MD	46827	Active	7/3/2023	12/31/2023	Michigan
Aisha Javed Ahmed	MD	46907	Active	7/13/2023	12/31/2023	Michigan
Robert Cuff	MD	46911	Active	7/17/2023	12/31/2023	Michigan
Ali Mohamad Rida	MD	46918	Active	7/17/2023	12/31/2023	Michigan
Perry Nelson Funk	DO	3346	Active	7/18/2023	12/31/2023	Michigan
Henry Burgess	MD	46941	Active	7/20/2023	12/31/2023	Michigan
Casey Goldman Sommerfeld	MD	46951	Active	7/21/2023	12/31/2023	Michigan
Sarah M Rooney	DO	3348	Active	7/25/2023	12/31/2023	Michigan
Rebecca Marie Simon	DO	3351	Active	7/26/2023	12/31/2023	Michigan
Shakti Soni	MD	47021	Active	7/27/2023	12/31/2023	Michigan
Mustafa Mark Hamed	MD	47052	Active	7/31/2023	12/31/2023	Michigan
Brett Ryan Fink	MD	46833	Active	7/3/2023	12/31/2023	Minnesota
Gamaleldin Magdy Abdelazim Mohammed Osman	MD	46933	Active	7/18/2023	12/31/2023	Minnesota
Laura Ashley Tasan	MD	46919	Active	7/17/2023	12/31/2023	Mississippi
Charles Carey Upton Jr.	MD	46940	Active	7/20/2023	12/31/2023	Mississippi
Derek Elliott Marshall	MD	46958	Active	7/25/2023	12/31/2023	Mississippi
Sarah Beth Vander Pol	DO	3350	Active	7/25/2023	12/31/2023	Nebraska
Christopher Mark Kozlowski	MD	46831	Active	7/3/2023	12/31/2023	Nevada
Feras Hamdan	MD	46830	Active	7/3/2023	12/31/2023	Ohio
Shana Kay Feibel	DO	3340	Active	7/10/2023	12/31/2023	Ohio
Meghan M Crute	MD	46881	Active	7/11/2023	12/31/2023	Ohio
Jabulani Sidile	MD	46901	Active	7/13/2023	12/31/2023	Ohio
Ashley Michelle Torlone	DO	3343	Active	7/14/2023	12/31/2023	Ohio
Corey Dean Anderson	MD	46912	Active	7/17/2023	12/31/2023	Ohio
Erine Allison Kupetsky	DO	3344	Active	7/17/2023	12/31/2023	Ohio
Blessing Obiageli Igboeli	MD	47053	Active	7/31/2023	12/31/2023	Ohio
Michelle Rockwell	MD	46834	Active	7/3/2023	12/31/2023	Oklahoma
Rashad Mohamed Riazuddin	MD	46960	Active	7/25/2023	12/31/2023	Oklahoma
Derek James Pourtorkan	DO	3349	Active	7/25/2023	12/31/2023	Oklahoma
Arek Kurkciyan	MD	46972	Active	7/27/2023	12/31/2023	Oklahoma
Carl Thomas Sanchez	MD	46832	Active	7/3/2023	12/31/2023	Tennessee
Raymond Joseph Gardocki	MD	46864	Active	7/6/2023	12/31/2023	Tennessee
Richard Sanford Finkel	MD	46865	Active	7/7/2023	12/31/2023	Tennessee
Matthew Elliott Pollard	MD	46877	Active	7/11/2023	12/31/2023	Tennessee

Neil Allen Zlatniski	MD	46883	Active	7/11/2023	12/31/2023	Tennessee
Craig Jay Sander	MD	46917	Active	7/17/2023	12/31/2023	Tennessee
Melinda S Henderson	MD	46930	Active	7/18/2023	12/31/2023	Tennessee
Kpienoba Manan Hien	MD	46950	Active	7/21/2023	12/31/2023	Tennessee
Kristin Ashley Van Heertum	MD	46968	Active	7/26/2023	12/31/2023	Tennessee
Michael Edward DeRoche	MD	47023	Active	7/27/2023	12/31/2023	Tennessee
Eleanor Lai	MD	46828	Active	7/3/2023	12/31/2023	Texas
Stephen Robert Lee	MD	46836	Active	7/5/2023	12/31/2023	Texas
Bruno Calazans Odisio	MD	46837	Active	7/5/2023	12/31/2023	Texas
David Ira Rosenthal	MD	46838	Active	7/5/2023	12/31/2023	Texas
Jason Aboudi Mouabbi	MD	46839	Active	7/5/2023	12/31/2023	Texas
Melody Renee Becnel	MD	46844	Active	7/5/2023	12/31/2023	Texas
Stephen Russell Chen	MD	46846	Active	7/5/2023	12/31/2023	Texas
Hagop Meguerditch Kantarjian	MD	46854	Active	7/6/2023	12/31/2023	Texas
Janessa Renee England	MD	46866	Active	7/7/2023	12/31/2023	Texas
Michael Geoffrey White	MD	46869	Active	7/7/2023	12/31/2023	Texas
Miriam Belen Garcia	DO	3339	Active	7/7/2023	12/31/2023	Texas
Monica Ramos	MD	46875	Active	7/10/2023	12/31/2023	Texas
Kristen Beth Pytynia	MD	46878	Active	7/11/2023	12/31/2023	Texas
Yuanteng Jeff Li	MD	46879	Active	7/11/2023	12/31/2023	Texas
Micahel Scott O'Reilly	MD	46884	Active	7/11/2023	12/31/2023	Texas
Jeffrey Evan Gershenwald	MD	46885	Active	7/12/2023	12/31/2023	Texas
Georgie Alex Eapen	MD	46886	Active	7/12/2023	12/31/2023	Texas
Jin Seon Im	MD	46887	Active	7/12/2023	12/31/2023	Texas
Emily Zhi-Yun Keung	MD	46888	Active	7/12/2023	12/31/2023	Texas
Amanda Leigh Olson	MD	46890	Active	7/12/2023	12/31/2023	Texas
David Anthony Santos	MD	46891	Active	7/12/2023	12/31/2023	Texas
Kamran Ahrar	MD	46892	Active	7/12/2023	12/31/2023	Texas
Keila Enitt Torres Torres	MD	46893	Active	7/12/2023	12/31/2023	Texas
Keith Francis Fournier	MD	46894	Active	7/12/2023	12/31/2023	Texas
Hop Tran Cao	MD	46895	Active	7/12/2023	12/31/2023	Texas
Paula R Pohlmann	MD	46898	Active	7/12/2023	12/31/2023	Texas
Abhishek Patel	DO	3342	Active	7/12/2023	12/31/2023	Texas
Mahmoud Goodarzi	MD	46899	Active	7/12/2023	12/31/2023	Texas
David Sanghyun Hong	MD	46902	Active	7/13/2023	12/31/2023	Texas
Jolyn Sharpe Taylor	MD	46903	Active	7/13/2023	12/31/2023	Texas

Nazanin Koohbanani Majd	MD	46904	Active	7/13/2023	12/31/2023	Texas
Andrew Gregory Sikora	MD	46905	Active	7/13/2023	12/31/2023	Texas
Barbara Jane OBrien	MD	46906	Active	7/13/2023	12/31/2023	Texas
Susan Manyi Tanyi	MD	46908	Active	7/14/2023	12/31/2023	Texas
Michael Barton Gronberg	MD	46923	Active	7/18/2023	12/31/2023	Texas
David Michael Boruta	MD	46925	Active	7/18/2023	12/31/2023	Texas
Mark Edwin Zafereo	MD	46926	Active	7/18/2023	12/31/2023	Texas
David Marc Gershenson	MD	46927	Active	7/18/2023	12/31/2023	Texas
Siqing Fu	MD	46928	Active	7/18/2023	12/31/2023	Texas
Mercy Warriari Misoi	MD	46929	Active	7/18/2023	12/31/2023	Texas
Richard Allan Ehlers	MD	46934	Active	7/18/2023	12/31/2023	Texas
Florencia McAllister	MD	46935	Active	7/18/2023	12/31/2023	Texas
Lan Chi Le Vo	MD	46936	Active	7/19/2023	12/31/2023	Texas
Ehab Y N Hanna	MD	46942	Active	7/20/2023	12/31/2023	Texas
Billiken T Lin	MD	46943	Active	7/20/2023	12/31/2023	Texas
Yi-Qian Nancy You	MD	46953	Active	7/24/2023	12/31/2023	Texas
Mara Beth Antonoff	MD	46954	Active	7/24/2023	12/31/2023	Texas
David Matthew Richards	MD	46955	Active	7/24/2023	12/31/2023	Texas
Faraz Adil Khan	MD	46957	Active	7/24/2023	12/31/2023	Texas
Gregory Matthew Hadden	MD	46961	Active	7/25/2023	12/31/2023	Texas
Brian David Welsh	MD	46963	Active	7/26/2023	12/31/2023	Texas
Kaveh Karimzad	MD	46964	Active	7/26/2023	12/31/2023	Texas
Scott Patrick Worrich	MD	46966	Active	7/26/2023	12/31/2023	Texas
Haven Rebecca Garber	MD	46967	Active	7/26/2023	12/31/2023	Texas
Amol Jitendra Ghia	MD	46969	Active	7/26/2023	12/31/2023	Texas
Ajit Kumar Bisen	MD	46970	Active	7/26/2023	12/31/2023	Texas
Jean Hanna Tayar	MD	46971	Active	7/26/2023	12/31/2023	Texas
Dominique Kalil	MD	47046	Active	7/28/2023	12/31/2023	Texas
Terri Lynn Woodard	MD	47047	Active	7/28/2023	12/31/2023	Texas
Aminat Bobcombe	DO	3374	Active	7/31/2023	12/31/2023	Texas
Jeremy Leon Ramdial	MD	47059	Active	7/31/2023	12/31/2023	Texas
Hind Rafei	MD	47063	Active	7/31/2023	12/31/2023	Texas
Paul Lin	MD	47064	Active	7/31/2023	12/31/2023	Texas
Hao Chi Zhang	MD	47065	Active	7/31/2023	12/31/2023	Texas
Robert Ashby Weir	MD	47022	Active	7/27/2023	12/31/2023	Utah
Marlon Balauag	MD	46938	Active	7/19/2023	12/31/2023	Washington

Leonid Vadimovich Kim	MD	46944	Active	7/20/2023	12/31/2023	Washington
Risa Rothmann Siegel	DO	3347	Active	7/24/2023	12/31/2023	Washington
Eve Samantha Cunningham	MD	47029	Active	7/27/2023	12/31/2023	Washington
Bosten Scott Edward Miller	MD	46948	Active	7/21/2023	12/31/2023	West Virginia
Hartmuth Bruno Bittner	MD	46889	Active	7/12/2023	12/31/2023	Wisconsin
Matthew J Cowling	DO	3376	Active	7/31/2023	12/31/2023	Wisconsin
Mary Girling	MD	46829	Active	7/3/2023	12/31/2023	Wyoming

**Total licenses issued since April 2017 - 3,120*



EXHIBIT B

STATE of ALABAMA
MEDICAL LICENSURE COMMISSION

To: Medical Licensure Commission
From: Nicole Hardy
Subject: August Physician Monitoring Report
Date: 8/17/2023

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

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 8/14/2023
Administrative Cost balance is \$27,300.27
Administrative Fine balance is \$17,152
*Dr. Bullock was asked via email to provide information regarding his plans to pay the remaining balance for August (\$3,906.57).

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: \$1500 payment received 8/15/2023
Administrative Fine – Paid in Full

Physician: Sharon G. Griffitts, 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 8/31/2023)
Monthly payments of \$500
Received: \$500 payment received 8/10/2023
Administrative Fine balance \$500

Physician: Sharon G. Griffitts, M.D.
Order Type: BME/MLC
Due Date: Monthly
Order Date: 7/7/2023
License Status: Active
Requirements: Administrative Fine \$10,000
Received: *No payment has been received.
Payment plan request placed on agenda for consideration.

Physician: Carlos A. Liotta, M.D.
Order Type: BME/MLC
Due Date: Other
Order Date: 6/28/2023
License Status: Active
Requirements: Administrative Fine \$2,500
Received: \$2,500 payment received 8/11/2023
Administrative Fine – Paid in Full

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

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

v.

**GARY MORGAN BULLOCK,
D.O.,**

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2020-100

ORDER

This matter is before the Medical Licensure Commission of Alabama on Respondent's request for an amendment to his payment plan to satisfy the fines and administrative costs assessed in our orders of December 21, 2021 and February 7, 2022. Upon due consideration, the request for amendment of the payment plan is granted as follows:

1. Respondent may make monthly payments in any amounts desired; and
2. The fines and administrative costs assessed in this matter shall be satisfied in full no later than June 27, 2024.

DONE on this the 25th day of August, 2023.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-08-25 11:28:56 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 TEMPORARILY SUSPENDING LICENSE
AND SETTING HEARING**

The Medical Licensure Commission has received the verified Administrative Complaint and Petition for Summary Suspension of License (“the 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. Temporary Suspension of License

Upon the verified Administrative Complaint of the Alabama State Board of Medical Examiners, and pursuant to the legal authority of Ala. Code §§ 34-24-361(f) and 41-22-19(d), it is the ORDER of the Commission that the license to practice medicine or osteopathy, license certificate number _____ of Firstname Middle Lastname, M.D./D.O. ("Respondent"), be, and the same is hereby, immediately SUSPENDED. Respondent is hereby ORDERED and DIRECTED to surrender the said license certificate to _____, a duly authorized agent of the Medical Licensure Commission. Respondent is further ORDERED immediately to CEASE and DESIST from the practice of medicine in the State of Alabama.

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

Respondent is reminded that the suspension of his or her license to practice medicine in Alabama triggers certain obligations with regard to patient notification

and patient records. *See* Ala. Admin. Code r. 540-X-9-.10(4)(c); 545-X-4-.08(4)(c).

Respondent shall comply with these requirements.

2. 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.

3. Initial Hearing Date

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 10:00 a.m., at 848 Washington Avenue, Montgomery, Alabama, 36104. 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.

4. 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).

5. 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.

6. 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 (or, in his absence, the Vice-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.

7. 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.

8. 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.

9. 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.

10. Publicity and Confidentiality

Under Alabama law, the Administrative Complaint and this Order are public documents. 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).

11. 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.

12. 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).

13. 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.

14. 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.

15. 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.

16. 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 [☒]has / [☐]has

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

17. 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

ORDER

This matter comes before the Medical Licensure Commission of Alabama on Respondent's request for approval of an amended practice plan as outlined in correspondence from Respondent's counsel dated August 14, 2023. Specifically, Respondent requests approval to be employed by the Social Security Administration to perform history and physical examinations for disability claimants. The proposed employment would not involve physician-patient relationships between Respondent and the individuals being examined, and would not involve prescribing.

Upon consideration, Respondent's proposed practice plan is approved, with the following stipulations: (1) Respondent must advise the Board's Physician Monitor immediately upon commencing employment, and shall provide the name of Respondent's workplace monitor as required by Paragraph 3(o) of our Order of April 19, 2023; (2) within six months of commencing employment, Respondent shall demonstrate significant progress toward full compliance with all provisions of the

Order; and (3) starting no later than six months after commencing employment, Respondent shall make monthly status reports to the Board's Physician Monitor.

To the extent that the amended practice plan approved in this Order would not satisfy the requirements of Paragraph 3(d) of our Order of April 19, 2023, those requirements are waived.

DONE on this the 25th day of August, 2023.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-08-25 11:34:12 CDT

Craig H. Christopher, M.D.
its Chairman



EXECUTIVE ORDER NO. 735

REDUCING "RED TAPE" ON CITIZENS AND BUSINESSES
THROUGH A MORATORIUM ON NEW ADMINISTRATIVE RULES
AND BY ESTABLISHING GOALS FOR THE REDUCTION OF
EXISTING REGULATORY BURDENS

WHEREAS my Administration has taken steps to promote transparency, efficiency, and accountability within the executive branch of state government;

WHEREAS one important role of state executive-branch agencies is to adopt administrative rules to implement laws enacted by the Legislature;

WHEREAS these rules are very often justified as promoting the public health, safety, or welfare of the citizens of the State of Alabama;

WHEREAS, despite those rules' potential benefits, they also entail significant costs for citizens and businesses, both in terms of time and money;

WHEREAS these rules can often outlive their usefulness and thus impose *unnecessary* costs on citizens and businesses;

WHEREAS excessive government regulation can hinder job growth and create unnecessary burdens and costs for hardworking Alabamians;

WHEREAS eliminating unnecessary government regulation could make the State of Alabama more attractive to businesses and more accountable to its citizens;

WHEREAS eliminating unnecessary government regulation can also allow state agencies to work "smarter, not harder" at a time of increasing challenges in recruiting and retaining state employees;

WHEREAS a temporary moratorium on new administrative rules and a twenty-five percent reduction in the number of discretionary regulatory restrictions on citizens and businesses contained in the Alabama

Administrative Code would meaningfully reduce unnecessary government regulation;

WHEREAS the Legislature has required agencies to periodically review their existing rules, *see* Ala. Code § 41-22-5.2; and

WHEREAS conducting a state-government-wide review of existing rules would increase the effectiveness of this requirement;

NOW, THEREFORE, I, Kay Ivey, Governor of the State of Alabama, by virtue of the authority vested in me by the Constitution and laws of the State of Alabama, do hereby promulgate this executive order, effective immediately:

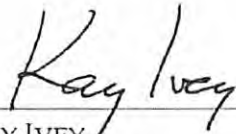
1. **General policy.** It is the policy of the executive branch of the State of Alabama to reduce the burden of unnecessary government regulations on Alabama citizens and businesses. To this end, the executive branch of state government will endeavor, over the next two years, to reduce by twenty-five percent the number of discretionary regulatory restrictions on citizens and businesses found in the Alabama Administrative Code.
2. **Moratorium.** To accomplish the goal set forth in paragraph 1, no state executive-branch agency shall adopt or amend any administrative rule from the date of this order through March 1, 2024, unless: (a) notice of the intended action was given on or prior to the date of this order or (b) the action is narrowly tailored to reduce or remove a regulatory burden; to remove obsolete, outdated, or unnecessary rules; to enhance job creation or economic development in the State of Alabama; to comply with a court order, federal law or regulations, or state law; or to protect public health, safety, or welfare.
3. **Process.** To accomplish the goal set forth in paragraph 1, each state executive-branch agency shall undertake a three-phase process as follows:
 - a. **Phase I—Inventory of existing rules.** Each state executive-branch agency shall prepare a written inventory of its existing administrative rules, identifying which rules impose regulatory restrictions on citizens and business and which of those regulatory restrictions are the result of discretionary choices by the agency. The agency shall provide the inventory to the Office

of the Governor in a format, and at a time, to be prescribed by the Office of the Governor. It is anticipated that Phase I will last six months, from March to September 2023.

- b. **Phase II—Development of rule-reduction plans.** Upon the conclusion of Phase I, each state executive-branch agency shall develop a written plan to streamline its administrative code, including specifically by reducing the number of discretionary regulatory restrictions on citizens and businesses. The agency shall provide the plan to the Office of the Governor in a format, and at a time, to be prescribed by the Office of the Governor. It is anticipated that Phase II will last six months, from September 2023 to March 2024.
 - c. **Phase III—Implementation of rule-reduction plans.** Upon the conclusion of Phase III, each state executive-branch agency shall begin implementation of its rule-reduction plan pursuant to the Alabama Administrative Procedure Act, *see* Ala. Code §§ 41-22-1 *et seq.*, and in accordance with guidance provided by the Office of the Governor. It is anticipated that Phase III will last one year, from March 2024 to March 2025.
- 4. **Designation of Red Tape Reduction Coordinators.** Unless exempt, each state executive-branch agency shall designate an existing employee of the agency as its Red Tape Reduction Coordinator to undertake the review of the agency's administrative rules required by this order.
 - a. **Deadline for designation.** Agencies must submit the name and contact information of its Red Tape Reduction Coordinator to the Office of the Governor by May 1, 2023.
 - b. **Exemption.** An agency need not designate a Red Tape Reduction Coordinator if it has not previously adopted any administrative rules or does not reasonably foresee adopting any administrative rules prior to March 1, 2024.

DONE AND ORDERED this 8th day of March 2023.




KAY IVEY
Governor

ATTESTED



WES ALLEN
Secretary of State

IMPLEMENTATION GUIDANCE ON EXECUTIVE ORDER NO. 735

Reducing “Red Tape” on Citizens and Businesses Through a Moratorium on New Administrative Rules and by Establishing Goals for the Reduction of Existing Regulatory Burdens

Overview

- **Goal:** Reduce by twenty-five percent the number of discretionary regulatory restrictions in the Alabama Administrative Code.
- **Inventory:** Each agency will complete an Administrative Rule Inventory that includes a cover sheet and a comprehensive list of each restrictive term found in your agency’s administrative code. The information included in the Inventory should be current as of September 1, 2023.
- **Public input:** Each agency will be asked to summarize the steps they took to ensure meaningful stakeholder input in completing the inventory. Examples could include convening stakeholder meetings, posting a draft inventory on your website, allowing for public comment on a draft inventory, etc.
- Additional guidance on Phase II and III will be distributed at a later date.

Key dates

- **Moratorium:** No state executive-branch agency should conduct any new rulemaking until **March 1, 2024**. Exceptions to this moratorium are included in the order.
- **Red Tape Reduction Coordinator:** By **May 1, 2023**, each agency should email pam.chesnutt@governor.alabama.gov the contact information (phone number and email address) for the employee that will be the agency’s Red Tape Reduction Coordinator.
- **Administrative Rule Inventory:** By **September 15, 2023**, each agency should submit an Administrative Rule Inventory Submission Cover Sheet and Administrative Rule Inventory to the Office of the Governor.
- Phase II and Phase III dates will be provided in the future.

FAQs

- **Question #1: What is a “discretionary regulatory restriction”?**
Answer: See the enclosed instructions for completing the Administrative Rule Inventory.
- **Question #2: My agency is proposing to add or amend an administrative rule during the moratorium imposed by EO 735. Does it meet one of the exceptions to the order’s moratorium?**

Answer: In general, our office does not intend to provide a case-by-case determination on whether a particular proposed rule fits within an exception to the moratorium set forth in EO 735 on adopting or amending rules. Having said that, we are asking agencies to keep in mind the goal of the moratorium, which is to pause the adoption of new rules while we work together—and with stakeholders—to analyze current rules.

If an agency is in doubt about whether their proposed action falls within an exception to the moratorium, we’d encourage them to consult with key stakeholders. Absent extraordinary circumstances, such as stakeholder pushback, we would not anticipate the Governor’s Office actively weighing in on agencies’ decisions about how to comply with the moratorium.

- **Question #3: What if my agency is amending or repealing rules to comply with the Governor's public records executive order?**

Answer: Agencies amending administrative rules to comply with the Governor's Public Records EO fit into one or more of the moratorium exceptions detailed in EO 735. This includes the exceptions for new rules or amendments that are narrowly tailored to "reduce or remove a regulatory burden" or "remove obsolete, outdated, or unnecessary rules."

- **Question #4: How does my agency indicate that our proposed rulemaking meets one of the order's exceptions?**

Answer: For agencies that believe they must adopt or amend an administrative rule during the moratorium, the agency should identify the moratorium exception on which they are relying. The agency should identify the exception in the "Substance of Proposed Action" section in the Legislative Services Agency's Notice of Intended Action form (APA-2).

Resources

- Executive Order 735: Reducing "Red Tape" on Citizens and Businesses Through a Moratorium on New Administrative Rules and by Establishing Goals for the Reduction of Existing Regulatory Burdens
- Phase I: Administrative Rule Inventory
- Phase I: Administrative Rule Inventory Submission Cover Sheet
- Instructions For Completing the Phase I: Administrative Rule Inventory
- Example entries for Phase I: Administrative Rule Inventory



EXHIBIT G

ALABAMA STATE BOARD OF MEDICAL EXAMINERS

WILLIAM M. PERKINS, EXECUTIVE DIRECTOR

P.O. BOX 946
MONTGOMERY, ALABAMA 36101-0946
848 WASHINGTON AVE.
MONTGOMERY, ALABAMA 36104

TELEPHONE: (334) 242-4116
E MAIL: bme@albme.gov

MEMORANDUM

To: Medical Licensure Commission
From: Mandy Ellis
Date: August 17, 2023
Re: Administrative Rules Approved for Publication

The Board of Medical Examiners, at its meeting August 17, 2023, approved the following rule to be published for public comment in the *Alabama Administratively Monthly*:

- Administrative Rule 540-X-12-.03, *Requirements for the Issuance of a Qualified Alabama Controlled Substances Registration Certificate (QACSC)*

The proposed rule changes reflect the P.A. Advisory Committee's recommendation to allow a QACSC (PA) applicant, who has not practiced for 12 months in Alabama, to apply for a QACSC under specific conditions.

With an expected publication date of August 31, 2023, the public comment period ends October 5, 2023. The anticipated effective date is December 15, 2023.

Attachments:

Administrative Rule 540-X-12-.03, *Requirements for the Issuance of a Qualified Alabama Controlled Substances Registration Certificate (QACSC)*

540-X-12-.03 Requirements for the Issuance of a Qualified Alabama Controlled Substances Registration Certificate (QACSC).

To qualify for a QACSC, an individual must meet the following requirements:

(1) Be a Physician Assistant (P.A.) who holds a current and unrestricted license issued by the Board and who is registered by the Board to perform medical services under the supervision of a physician who holds and maintains a valid, current and unrestricted Alabama Controlled Substances Registration Certificate (ACSC);

(2) Be a P.A. who is practicing with appropriate physician supervision and in accordance with all statutes and rules governing P.A.s;

(3) Submit proof of successful completion of a course or courses (AMA PRA Category 1™) approved by the Board which includes eight (8) hours of instruction regarding the prescribing of controlled substances and four (4) hours of advanced pharmacology and prescribing trends relating to controlled substances within one (1) year preceding the filing of an application for a QACSC.

(4) Provide accurate and complete documentation of a minimum of twelve (12) months of active clinical practice pursuant to one or more registration agreements approved by the Alabama Board of Medical Examiners following National Commission on Certification of Physician Assistants (NCCPA) certification. Interim approval of a supervised practice shall not be considered or used to meet this requirement.

(a) In lieu of completing twelve (12) months of active clinical practice in the state of Alabama, the applicant must have at least three (3) years of active clinical practice under the supervision of a physician as a licensed P.A. in any U.S. state or territory and meet the following requirements:

1. Applicant must have held a DEA registration for at least one (1) year in any state;

2. Has never had his or her license to practice as a P.A. subjected to discipline by a licensing agency in any state, federal, or foreign jurisdiction, excluding any action related to the non-payment of fees related to a license;

3. Has never had a controlled substance license or permit suspended or revoked by a state or the U.S. Drug Enforcement Administration; and

4. Is not currently under investigation by a licensing agency or law enforcement authority in any state, federal, or foreign jurisdiction.

____(5) Submit an application on forms provided by the Board.

(6) Provide information regarding whether the QACSC will be utilized at a remote site and/or in a different type of clinical setting than the supervising physician.

(7) Pay the required application fee required by the Board.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Alabama § 20-2-60, *et. seq.*, Act 2009-489

History: Approved for publication: November 18, 2009. Effective Date: March 24, 2010. Amended/Approved: December 11, 2019. Certified Rule Filed: February 19, 2020. Effective Date: April 13, 2020. Amended/Approved October 20, 2022. Certified Rule Filed December 20, 2022. Effective Date: February 13, 2023.



EXHIBIT H

ALABAMA STATE BOARD OF MEDICAL EXAMINERS

WILLIAM M. PERKINS, EXECUTIVE DIRECTOR

P.O. BOX 946
MONTGOMERY, ALABAMA 36101-0946
848 WASHINGTON AVE.
MONTGOMERY, ALABAMA 36104

TELEPHONE: (334) 242-4116
E MAIL: bme@albme.gov

MEMORANDUM

To: Medical Licensure Commission
From: Mandy Ellis
Date: August 17, 2023
Re: Administrative Rules Approved for Publication

The Board of Medical Examiners, at its meeting August 17, 2023, approved the following rules to be published for public comment in the *Alabama Administratively Monthly*:

- Administrative Rule 540-X-12-.02, *General Requirements (QACSC-PA)*
- Administrative Rule 540-X-18-.02, *General Requirements (QACSC-NP)*

The QACSC rules underwent two separate amendments at the end of 2022. One added wording about the ability to decline consideration of an application when an applicant is under investigation, and the second added wording about providing a copy of a DEA certificate once it was issued. Additionally, the term “dispensing” was removed. Unfortunately, wording was dropped in error from both rules during this process. The proper wording was in effect in both rules from Oct. 15, 2022, through Feb. 13, 2023, when the new amendments became effective. These amendments are proposed to add back the missing verbiage.

With an expected publication date of August 31, 2023, the public comment period ends October 5, 2023. The anticipated effective date is December 15, 2023.

Attachments:

Administrative Rule 540-X-12-.02, *General Requirements (QACSC-PA)*
Administrative Rule 540-X-18-.02, *General Requirements (QACSC-NP)*



ALABAMA STATE BOARD OF MEDICAL EXAMINERS

OFFICE OF THE GENERAL COUNSEL

E. Wilson Hunter, General Counsel

Carla H. Kruger, Paralegal

Post Office Box 946
Montgomery, Alabama 36101-0946
848 Washington Avenue
Montgomery, Alabama 36104

Phone (334) 833-0172
Email ckruger@albmc.gov

MEMORANDUM

TO: Alabama State Board of Medical Examiners

FROM: Carla H. Kruger

RE: 540-X-12-.02, General Requirements (QACSC-PA)
540-X-18-.02, General Requirements (QACSC-NP)

DATE: July 26, 2023

These QACSC rules underwent two separate amendments during the last half of last year. One added wording about the ability to decline consideration of an application when an applicant is under investigation, and the second added wording about providing a copy of a DEA certificate once it was issued. Additionally, the term "dispensing" was removed. Unfortunately, wording got dropped from both rules during this process. The proper wording was in effect in both rules from Oct. 15, 2022, through Feb. 13, 2023, when the new amendments became effective.

At this time, amendments are proposed to add back the missing verbiage. If approved, the rules have an anticipated effective date of Dec. 15, 2023.

CHK:

540-X-12-.02 General Requirements.

(1) The Board is the certifying board which may issue to and renew, deny, restrict, limit, suspend, or revoke a QACSC of an assistant to physician.

(2) Beginning the calendar year 2010, QACSCs may be issued by the Board to Physician Assistants (P.A.s).

(3) Although the Board recognizes two categories of assistants to physicians, only a person licensed and registered by the Board as a Physician Assistant (P.A.) may be issued a QACSC.

(4) A P.A. who prescribes, administers, or authorizes for administration ~~or dispenses~~ any controlled substance within Alabama or who proposes to engage in the prescribing, administering, or authorizing for administration ~~or dispensing~~ of any controlled substance within Alabama shall obtain, annually, a QACSC for each registration of the P.A. by the Board to perform medical services under the supervision of a physician.

(5) A P.A. who prescribes, administers, or authorizes for administration ~~or dispenses~~, or who proposes to engage in the prescribing, administering, or authorizing for administration ~~or dispensing~~ of any controlled substance within Alabama shall obtain the appropriate registration or registrations issued by the United States Drug Enforcement Administration.

(6) A P.A. who applies for a Qualified Alabama Controlled Substances Certificate shall provide the Board with the DEA registration number authorizing his or her prescribing of controlled substances in Alabama at the time of application, or, if no such registration has been issued, shall provide the Board with the DEA registration

number as soon as it is issued. Each P.A. who is issued a Qualified Alabama Controlled Substances Certificate shall provide a copy of the DEA registration certificate to the Board immediately upon renewal of the registration.

(67) The Board of Medical Examiners may decline to consider an application when the P.A. or the supervising physician is under investigation for a potential violation of the Code of Ala 1975, Sections 20-2-50~~1~~, et. seq., or 34-24-50, et. seq., or any rule of the Alabama Board of Medical Examiners or Medical Licensure Commission of Alabama.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Alabama § 20-2-60, et. seq., Act 2009-489

History: Approved for publication: November 18, 2009. Effective Date: March 24, 2010. Amended/Approved October 20, 2022. Certified Rule Filed December 20, 2022. Effective Date: February 13, 2023.

540-X-18-.02 General Requirements.

(1) The Board is the certifying board which may issue to and renew, ~~or deny,~~ restrict, limit, suspend, or revoke a QACSC ~~for~~of a CRNP or CNM.

(2) Beginning October 1, 2013, QACSCs may be issued by the Board to CRNPs and CNMs.

(3) A CRNP or CNM who prescribes, administers, or authorizes for administration any controlled substance within Alabama or who proposes to engage in the prescribing, administering, or authorizing for administration any controlled substance within Alabama shall obtain, annually, a QACSC for each collaborative practice agreement approved by the Alabama Board of Nursing and the Alabama Board of Medical Examiners.

(4) A CRNP or CNM who prescribes, administers, or authorizes for administration, or who proposes to engage in the prescribing, administering, or authorizing for administration of any controlled substance within Alabama shall obtain the appropriate registration or registrations issued by the United States Drug Enforcement Administration.

(5) A CRNP or CNM who applies for a Qualified Alabama Controlled Substances Certificate shall provide the Board with the DEA registration number authorizing his or her prescribing of controlled substances in Alabama at the time of application, or, if no such registration has been issued, shall provide the Board with the DEA registration number as soon as it is issued. Each CRNP or CNM who is issued a Qualified Alabama Controlled Substances Certificate shall provide a copy of the DEA registration certificate to the Board immediately upon renewal of the registration.

(6) The Board of Medical Examiners may decline to consider an application when the CRNP or CNM or the collaborating physician is under investigation by the Board of Medical Examiners for a potential violation of the Code of Alabama, Sections 20-2-1, et. seq., or 34-24-50, et. seq., or any rule of the Alabama Board of Medical Examiners or Medical Licensure Commission of Alabama.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Alabama §§ 20-2-250, et. seq.; Act 2013-223

History: Approved for publication: June 12, 2013. Approved for final adoption: August 21, 2013. Effective Date: October 1, 2013. Amended/Approved October 20, 2022. Certified Rule Filed December 20, 2022. Effective Date February 13, 2023.

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

v.

SHARON G. GRIFFITTS, M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2023-124

ORDER

This matter is before the Medical Licensure Commission of Alabama on Respondent's request for a payment plan in connection with the administrative fine imposed by our Findings of Fact and Conclusions of Law of July 7, 2023. In that order, we expressly ordered Respondent to pay the administrative fines within 30 days, noting that "[t]he 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."¹ We further directed that, "[i]n compliance with Ala. Code § 34-24-383, Respondent's annual certificate of registration shall not be renewed for 2024 unless and until the administrative fine, and all other fines and costs previously assessed, are paid in full."

¹ See Ala. Admin. Code r. 545-X-4-.06(6).

Upon consideration, Respondent's request for a payment plan is granted, only to the following extent:

1. Between this date and December 31, 2023, Respondent may make monthly payments in any amounts desired;
2. Respondent shall pay all fines and administrative costs assessed in this matter in full no later than December 31, 2023; and
3. In compliance with Ala. Code § 34-24-383, Respondent's annual certificate of registration shall not be renewed for 2024 unless and until Respondent has paid all fines and administrative costs assessed in this matter in full.

DONE on this the 25th day of August, 2023.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-08-25 11:32:57 CDT

Craig H. Christopher, M.D.
its Chairman

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

v.

**JANAKI RAM PRASAD EARLA,
M.D.,**

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2022-344

ORDER

This matter is before the Medical Licensure Commission of Alabama on the “Joint Motion to Continue,” filed on August 14, 2023.

Upon consideration of the parties’ joint motion and the particular facts of this case, the motion is granted. The final hearing in this matter, currently scheduled for Wednesday, August 23, 2023, is hereby continued and reset for Wednesday, March 27, 2024, at 10:00 a.m., at 848 Washington Avenue, Montgomery, Alabama.

The Commission notes that the Administrative Complaint in this matter was served on October 24, 2022, and was originally set for hearing on January 25, 2023. We have previously continued the hearing in this matter two times, by orders of December 1, 2022 and March 28, 2023. Today’s order marks the third continuance. Therefore, no further continuances should be expected. All parties shall be prepared for the hearing on March 27, 2024.

DONE on this the 25th day of August, 2023.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

**E-SIGNED by Craig Christopher, M.D.
on 2023-08-25 11:31:47 CDT**

**Craig H. Christopher, M.D.
its Chairman**

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

**THOMAS PAUL ALDERSON,
M.D.,**

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION
OF ALABAMA**

CASE NO. 2023-138

ORDER

This matter is before the Medical Licensure Commission of Alabama on the proposed Consent Decree jointly submitted by the Board and Respondent. Upon review and consideration of the allegations of the Administrative Complaint, together with the provisions of the proposed Consent Decree, the Commission believes that a thorough development of the facts of this case is necessary. The Commission therefore declines to approve the proposed Consent Decree.

The hearing in this matter is continued and re-set for Wednesday, October 11th, 2023, at 10:00 a.m., at 3300 Cahaba Road, Suite 320, Birmingham, Alabama, 35203. The hearing will be held before a hearing panel constituted pursuant to Ala. Code § 34-24-366 and Ala. Admin. Code r. 545-X-3-.14 consisting of Commissioners Christopher, Aldridge, and Nagrodzki.

DONE on this the 31st day of August, 2023.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-08-31 11:36:15 CDT

Craig H. Christopher, M.D.
its Chairman

EXHIBIT L

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

**RODNEY LOWELL DENNIS,
M.D.,**

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION
OF ALABAMA**

CASE NO. 2023-139

ORDER

This matter is before the Medical Licensure Commission of Alabama on the proposed Consent Decree jointly submitted by the Board and Respondent. Upon review and consideration of the allegations of the Administrative Complaint, together with the provisions of the proposed Consent Decree, the Commission believes that a thorough development of the facts of this case is necessary. The Commission therefore declines to approve the proposed Consent Decree.

The hearing in this matter is continued and re-set for Wednesday, October 11th, 2023, at 10:00 a.m., at 3300 Cahaba Road, Suite 320, Birmingham, Alabama, 35203. The hearing will be held before a hearing panel constituted pursuant to Ala. Code § 34-24-366 and Ala. Admin. Code r. 545-X-3-.14 consisting of Commissioners Christopher, Aldridge, and Nagrodzki.

DONE on this the 31st day of August, 2023.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

**E-SIGNED by Craig Christopher, M.D.
on 2023-08-31 11:36:58 CDT**

**Craig H. Christopher, M.D.
its Chairman**

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,

Complainant,

vs.

CHARLIE WILSON DEAN, M.D.,

Respondent.

CASE NO.: 2023-237

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 Charlie Wilson Dean, M.D., (“Respondent”), license number MD.11309. 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 18th day of August, 2023.

William F. R.

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

Ami 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

EXHIBIT N

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

BARRY GENE COLLINS, M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2023-208

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 July 26, 2023. The Board and the Respondent, Barry Gene Collins, 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 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 30, 1999, having been issued license no. MD.22922. Respondent was so licensed at all relevant times.

2. On or about October 11, 2022, Respondent submitted or caused to be submitted an Alabama medical license renewal application for calendar year 2023. On that application, Respondent certified that the annual minimum continuing medical education requirement of 25 AMA PRA Category 1™ credits had been met

or would be met by December 31, 2022. Respondent further represented that, if audited, he would have supporting documents.

3. Respondent earned only 23.75 valid continuing medical education credits during 2022.

4. Respondent's failure to earn 25 valid continuing medical education credits during 2022 was Respondent's third CME offense.

5. Specifically, Respondent failed to obtain any valid CME credits in 2015. As a result, on June 22, 2016, the Commission reprimanded Respondent's license to practice medicine in Alabama, assessed a fine in the amount of two thousand five hundred dollars (\$2,500.00), and ordered Respondent to earn fifty (50) CME credits on or before December 31, 2016.

6. Respondent also failed to obtain the required number of CME credits necessary to renew his medical license in 2017. As a result, on May 23, 2018, the Commission reprimanded Respondent's license to practice medicine in Alabama, assessed a fine in the amount of five thousand dollars (\$5,000.00), and ordered Respondent to obtain fifty (50) CME credits on or before December 31, 2018.

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 finds, as a matter of law, that the determined facts constitute violations of Ala. Code § 34-24-360(23) and Ala. Admin. Code r. 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 the Respondent's license to practice medicine in Alabama is reprimanded.

2. That Respondent is assessed an administrative fine in the amount of five thousand dollars (\$5,000.00). 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.¹

3. That Respondent is ordered to obtain 50 *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 75 credits, no later than December 31, 2023.

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).

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

DONE on this the 25th day of August, 2023.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-08-25 11:30:49 CDT

Craig H. Christopher, M.D.
its Chairman

EXHIBIT O

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

v.

TARIK YAHIA FARRAG, M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2023-023

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter came before the Medical Licensure Commission of Alabama for a contested case hearing on August 23, 2023. After receiving and considering all of the relevant evidence and argument, we find the Respondent, Tarik Yahia Farrag, M.D., guilty of the disciplinary charges and impose professional discipline as set forth below.

I. Introduction and Statement of the Case

The respondent in this case is Tarik Yahia Farrag, M.D. (hereinafter "Respondent"). Respondent was first licensed by the Commission on January 23, 2013, having been issued license no. MD.32237. The disciplinary charges in this case arise out of Respondent's alleged presentation of forged documents and false

statements in connection with his application for licensure in Alabama, and in connection with his application for hospital privileges in Florida.

II. Procedural History

On February 21, 2023, the Alabama Board of Medical Examiners filed an Administrative Complaint and Petition for Summary Suspension of License (the “Administrative Complaint”). The Administrative Complaint, as amended on April 7, 2023, contains six counts.

Count One alleges that Respondent committed fraud in applying for a license to practice medicine in Alabama in violation of Ala. Code § 34-24-360(1), in that, on or about January 14, 2013, he submitted one or more fraudulent documents to the Alabama Board of Medical Examiners in connection with his application for a certificate of qualification. Count Two likewise alleges that Respondent is guilty of fraud in violation of Ala. Code § 34-24-360(1), in that he falsely represented to the Board in his application that he had completed three years of postgraduate training. Count Three alleges that Respondent falsely impersonated J. Drew Prosser, M.D., Residency Program Director at the Medical College of Georgia, in connection with his application for hospital privileges at the Sarasota Memorial Healthcare System, which would constitute unprofessional conduct in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-

X-4.06(16). In Count Four, the Board alleges that Respondent committed unprofessional conduct by making one or more false and fraudulent statements in the same application for hospital privileges, again in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-X-4.06(16). Counts Five and Six¹ allege additional instances of fraudulent conduct in connection with Respondent's application for a certificate of qualification and license to practice medicine in Alabama. In Count Five, the Board alleges that Respondent answered Question 22 on the application falsely, and in Count Six, the Board alleges that Respondent answered Question 23 falsely. These false answers are alleged to violate Ala. Code § 34-24-360(1).

In accordance with Ala. Code § 34-24-361(f) and Ala. Admin. Code r. 545-X-3-.13, on February 22, 2023, we entered an order summarily suspending Respondent's license to practice medicine and set this matter for a full evidentiary hearing. Respondent has executed a valid waiver of the 120-day limit on summary suspension found in Ala. Code § 41-22-19(d).

On August 23, 2023, we conducted a full evidentiary hearing on these charges as prescribed in Ala. Admin. Code r. 545-X-3. The case supporting the

¹ Counts Five and Six were added in the Board's Amended Administrative Complaint, filed on April 7, 2023.

disciplinary charges was presented by the Alabama Board of Medical Examiners through its attorneys E. Wilson Hunter and Alicia Harrison. Respondent was represented by attorneys T. Kent Garrett and William Rayborn. 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. After careful review, we have made our own independent judgments regarding the weight and credibility to be afforded to the evidence, and the fair and reasonable inferences to be drawn from it. Having done so, and as prescribed in Ala. Code § 41-22-16, we enter the following Findings of Fact and Conclusions of Law.

III. Findings of Fact

We find the following facts to be established by the preponderance of the evidence presented at the hearing:

1. In September 1998, Respondent graduated from the medical school of Assiut University in Egypt. (ABME Ex. 2, ABME000048.)
2. On July 1, 2009, Respondent entered into the otolaryngology residency training program at the Medical College of Georgia² as a PGY-1.

² The Medical College of Georgia changed its name to "Georgia Health Sciences University" in February 2011. In 2013, the Georgia Health Sciences University merged with

(ABME Ex. 9, ABME001467.) Respondent was renewed as a PGY-2 on July 1, 2010.

3. On August 2, 2010, Respondent was placed on a four-month Academic Remediation Plan “due to performance issues related primarily to professionalism and communication problems.” (ABME Ex. 16, 0717.) Respondent was warned that “any further infractions would result in immediate termination from the program,” and that he would be required “to demonstrate to the faculty . . . that [he] ha[d] insight into [his] current situation and [his] lack of professionalism and communication issues.” (*Id.*)

4. Respondent failed to complete his first Academic Remediation Plan. On November 23, 2010, the faculty of the otolaryngology residency program met and unanimously voted to suspend Respondent’s clinical privileges, while allowing him to remain employed in a non-clinical research capacity. (ABME Ex. 16, 0725.) The faculty advised Respondent that “[t]here are serious concerns regarding your conduct which is detrimental to the Medical College of Georgia

Augusta State University, creating “Georgia Regents University,” although the medical college itself continued to be known as the Medical College of Georgia. In 2015, the name of Georgia Regents University was changed to Augusta University. For simplicity’s sake, we will simply refer to the Medical College of Georgia as the Medical College of Georgia, disregarding these consolidations and name changes.

See, e.g., <https://www.georgiaencyclopedia.org/articles/education/georgia-health-sciences-university/>; <https://www.augusta.edu/mcg/documents/mcg-history-brochure-jan-2021.pdf>.

Department of Otolaryngology” (*Id.*) The faculty based its decision on Respondent’s “persistent unprofessional behavior despite being placed on remediation . . . and receiving professional guidance.” (*Id.*)

5. In accordance with a House Officer Evaluation, Grievance, & Due Process Policy, Respondent appealed the decision to Peter F. Buckley, M.D., the Dean of the Medical College of Georgia. After a hearing, Dr. Buckley decided to place Respondent on a “remediation plan in support of Dr. Farrag and one that comprehensively and unequivocally addresses the elements and intent to foster—and only accept—complete and sustained professional behavior of Dr. Farrag.” (ABME Ex. 16, 0728.)

6. Pursuant to Dr. Buckley’s decision, Respondent was reinstated to clinical training duties on April 11, 2011. (ABME Ex. 16, 0733.) The elements of Respondent’s second remediation plan included formal mentoring with monthly reporting, professional counseling, monthly reports to the program evaluation committee, and active participation in training in all core competencies defined by the Accreditation Council for Graduate Medical Education. (*Id.* at 0734.) Respondent was once again warned that “[f]ailure to meet the conditions of this academic remediation will result in your dismissal from the residency training program.” (*Id.* at 0734, 0735.)

7. Respondent also failed to complete his second remediation plan. On May 25, 2011—just 45 days after being reinstated to clinical duties pursuant to the second remediation plan—Respondent was stopped by a police officer for running a red light on the way to the hospital. After investigation, the Residency Program Evaluation Committee determined that Respondent lied to the police officer about a medical emergency that was allegedly occurring at the hospital, and that Respondent also tried to enlist his colleagues to lie to support his story. As a result, the Committee determined that Respondent had violated the terms of his second remediation plan, and that Respondent should be terminated from the program. (ABME Ex. 16, 0748-0751.)

8. Dr. David Terris, Chair of the Otolaryngology-Head and Neck Surgery department, communicated this decision to Respondent in a memorandum dated June 10, 2011. (ALBME Ex. 16, 1000.) After outlining the findings about Respondent's attempted fabrications in connection with running the red light, Dr. Terris informed Respondent that his "actions represented a major violation of professionalism and patient care" and a "major violation of your remediation plan." (*Id.*)

9. Respondent again appealed the decision to Dr. Buckley, Dean of the Medical College.³ Dr. Buckley asked the Office of Internal Audit to conduct an independent review of the events of May 25, 2011, including the allegations about Respondent lying to the police officer. Based on that review, the Office of Internal Audit determined that “the information that was considered by the Residency Program Evaluation Committee (RPEC) appears to be accurate and fairly presented.” (ALBME Ex. 16, 0762.) On June 7, 2012, Dr. Buckley formally upheld the decision to terminate Respondent from the residency program.

10. Taking into account the periods of time in which Respondent’s clinical privileges were suspended and the period during which his final termination was on appeal to the Dean, Respondent received a total of 19 months of postgraduate training credit for his time at the Medical College of Georgia residency program. Respondent was not credited with successful completion of the PGY-2 year.

11. In mid-January 2013, Respondent submitted an application to the Alabama Board of Medical Examiners for a certificate of qualification to practice

³ While the appeal was pending, Respondent technically remained employed by the Medical College of Georgia, but was “instructed to pursue independent home study with no patient interaction.” (ALBME Ex. 16, 1000.)

medicine in Alabama. (ABME Ex. 2, ABME000058.) In his application,

Respondent answered the following questions negatively:

22. Have you ever been placed on academic or disciplinary probation by a medical school or postgraduate program?

23. Have you ever been disciplined for unprofessional conduct/behavior reasons by a medical school or postgraduate program?

(*Id.*)⁴

12. Respondent also represented to the Board that he had engaged in post-graduate medical education training at the Medical College of Georgia from July 1, 2009 through “present,” or about 3½ years. (ALBME Ex. 2, ABME000059.) Respondent similarly represented that he held hospital privileges at Medical College of Georgia from July 1, 2009 through “present.” (ALBME Ex. 2, ABME000060.)

13. With his application, Respondent submitted a curriculum vitae, which represented that Respondent’s “Current Appointment”—as of January 14, 2013—was as a resident at the Department of Otolaryngology at the Georgia Health Sciences University. (ABME Ex. 2, ABME000030.)

⁴ In his sworn testimony at the evidentiary hearing in this matter, Respondent admitted that he responded negatively to Questions 22 and 23, and he maintained that those answers were true.

14. Respondent verified the accuracy of his answers under oath by subscribing the following statement: "I, Tarik Y. Farrag, certify after being duly sworn, that all of the information supplied in the foregoing application is true and correct to the best of my knowledge.... I acknowledge that any false or untrue statement or representation made in this application may result in the revocation of my license to practice medicine granted to me and criminal prosecution to the fullest extent of the law." (ABME Ex. 2, ABME000061.)

15. Respondent's negative answers to Questions 22 and 23, and his multiple representations that he had engaged in post-graduate training and held hospital privileges at the Medical College of Georgia from July 1, 2009 through "present" (*i.e.*, January 14, 2013) were knowingly false.

16. Further as part of Respondent's application for a certificate of qualification, there was submitted an "Appendix B—Post Graduate Education Certificate." (ABME Ex. 2, ABME000052.) "Appendix B" is a pre-printed form that is supposed to be completed and submitted to the Board by a responsible individual representing the applicant's post-graduate residency training program. The "Appendix B" submitted in support of Respondent's application was purportedly completed and signed by Stil Kountakis, M.D. Appendix B purportedly verifies that Respondent "successfully completed 3+ years of post

graduate training” at the Medical College Georgia during the dates July 2009 through June 6, 2012.⁵

17. The “Appendix B” submitted in support of Respondent’s application to practice medicine in Alabama also contains negative responses to the following three questions:

Does this individual’s official record reflect that he/she was ever placed on academic or disciplinary probation? If yes, please attach a copy of the written notification to the individual.

Does this individual’s official record reflect that he/she was ever disciplined for unprofessional conduct/behavioral reasons? If yes, please attach a copy of the written notification to the individual of the disciplinary action.

Does this individual’s official record reflect that he/she was ever notified in writing that there were any limitations or special requirements imposed on him/her because of questions of academic or clinical competence, disciplinary problems, or any other reason? If yes, please attach a copy of the written notification to the individual.

(Id.)

⁵ “Appendix B” explicitly defines “successfully completed.” The form says: “has completed __ years of post graduate training’ means the applicant has successfully completed or met the program’s established criteria, standards or requirements which are necessary for promotion to the next level of post graduate training or the applicant has successfully completed or met the program’s established criteria, standards or requirements which are necessary for completion of this program. Note to applicant: Merely accumulating 12 months or 36 months of post graduate or residency training shall not be evidence satisfactory to the Board that the applicant has fulfilled the post graduate requirement necessary for qualifying for the issuance of a certificate of qualification for a license to practice medicine in Alabama.” (ALBME Ex. 2, ALBME000052.)

18. In his testimony at the evidentiary hearing in this matter, Respondent testified that he believed that the three negative responses referred to above were, in fact, true—a contention that cannot be reconciled with the overwhelming evidence before the Commission. Moreover, both Respondent himself and another witness presented by Respondent expressed unequivocal views that Dr. Kountakis was “bigoted” toward graduates of medical schools outside the United States, which cannot be reconciled with any claim that Dr. Kountakis would fabricate “Appendix B” himself.

19. Similar documents submitted by the Medical College of Georgia to the Georgia Composite Medical Board, and completed by Dr. Kountakis, do not contain the misrepresentations outlined above. (ABME Ex. 16, 0577, 0583.)

20. Based on the totality of the evidence before the Commission, therefore, it seems evident, and we find, that “Appendix B” is an inauthentic and fraudulent document. We so find, because: (1) the representations made in “Appendix B” are plainly false and irreconcilable with the documentary evidence of Respondent’s history at the Medical College of Georgia, as well as the firsthand testimony of Dr. Drew Prosser, discussed below in greater detail, that corroborates that documentary history; (2) the authenticity of “Appendix B” is irreconcilable with Respondent’s insistence that Dr. Kountakis is “bigoted” against him; and (3) the voluminous files provided by the Medical College of Georgia pertaining

to Respondent do not contain any copy of "Appendix B." Further, we find as a factual matter that Respondent created and submitted "Appendix B" to the Board, or caused it to be created and submitted. We so find because: (1) Respondent is the only person who stood to gain from the false representations made in "Appendix B"; (2) in his testimony in this matter, Respondent expressly adopted as his own the false representations made in "Appendix B"; (3) Respondent had the means to carry out the false representations; and (4) there simply is no other plausible alternative hypothesis.

21. The representation made in "Appendix B" that Respondent "successfully completed 3+ years" of postgraduate training at the Medical College of Georgia, and the three negative responses referred to above, are all factually false, and all of those false representations were made by Respondent with knowledge of their falsity.

22. In late 2022, Respondent applied for hospital privileges at Sarasota Memorial Healthcare System ("SMHS") in Sarasota, Florida. As part of the hospital's credentialing process, the hospital sought verification of Respondent's residency training from Drew Prosser, M.D., Residency Program Director for the Medical College of Georgia Department of Otolaryngology.

23. After receipt of purported verification documents, SMHS credentialing staff independently made contact with Dr. Prosser and asked him to

verify the authenticity of the documents received by SMHS. Dr. Prosser informed SMHS—and he testified under oath before the Commission—that the documents submitted to SMHS in support of Respondent's application for hospital privileges were forgeries, and were neither created, signed, nor submitted by him. Dr. Prosser told SHMS, and he confirmed before the Commission in sworn testimony, that the e-mail address from which the forged documents were sent to SMHS (dprosser1@augustaunivsom.org) was not Dr. Prosser's correct e-mail address, and was not an e-mail address that Dr. Prosser had ever used, had access to, or had control over. (ABME Ex. 4, ABME000065.)

24. One of the documents that SMHS showed to Dr. Prosser was a reference verification form putatively completed and submitted by Dr. Prosser (ABME000066-000068). Dr. Prosser told SMHS, and he confirmed in sworn testimony before the Commission, that he neither completed, signed, nor submitted the reference verification form.

25. The reference verification form submitted to SMHS (ABME000066-000068) contains multiple false statements. Specifically, the reference verification form includes negative responses to the following questions:

To the best of your knowledge, has the applicant ever been subject to any disciplinary action?

To the best of your knowledge, has the applicant ever exhibited disruptive behavior?

To the best of your knowledge, has the applicant ever been under investigation?

To the best of your knowledge, has the applicant ever had their clinical privileges limited, suspended, revoked, or not renewed?

To the best of your knowledge, has the applicant ever displayed problems that may affect the applicant's ability to perform the privileges requested?

(Id.)

26. We find the negative responses to the foregoing questions to be factually false and plainly contradicted by Respondent's residency record at the Medical College of Georgia.

27. The same reference verification form (ABME000066-000068) is laden with exceedingly implausible narrative comments. As examples:

Question: How long have you known the applicant? During what time period did you have the opportunity to observe (MM/YYYY) the applicant's practice of medicine?	Comments: Dr. Tarik Y. Farrag is extremely physician, surgeon, and person. He is on the top 1% in all above respects for all providers I have ever known.
Question: Based on your knowledge of the practitioner, does he/she have the training, experience and competence to be recommended for membership and if applicable to perform all the privileges currently being requested? (Please refer to the privileges request that was attached to your email)	Comments: Actually he actually had huge knowledge as well as clinical and surgical background prior to joining that allow several fields beyond many basic and advanced Otolaryngology-Head & Neck privileges, including Critical Care Medicine (ICU), as well as Emergency Medicine. His skills were truly above and beyond. He was called the "Anatomy Guy" due to in-depth knowledge of every inch in the head and neck. He was approached frequently by more senior trainees asking him Q's. I believe the above was based on the fact that he joined out [sic] program after already completing 5 years of complete Otolaryngology-Head & Neck Surgery, ICU

	training, Laser Courses, Emergency Medicine, Fellowship at the prestigious The Johns Hopkins School of Medicine Department of Otolaryngology-Head & Neck Surgery. His skills already equaled or even exceeded specialists of ICU and ER. He obtained (above average) and (exceeding expectations) in all of his evaluation in or outside our department. He has rare quiet nature & appropriate prioritization while multi-tasking as well as managing serious emergencies and highly critical cases. I also believe his academic (research) mentality has a lot to do with that.
Question: Do you have any additional information/concerns you would like to discuss with the Chair of the Credentials Committee in a confidential manner?	Comments: Talking about the unforgettable Dr. Tarik Y. Farrag needs long time as well as pages. I hope my comments above were capable to cover some of his innate merits. His educational and supervisory skills and ideas to younger trainees and medical students were amazing. His thought process in the business, humanitarian, disaster management aspects, etc. are all beyond all. Just rare combinations.
Question: Do you recommend the applicant without reservation?	Comments: VERY MUCH SO.

(ABME Ex. 4, ABME000066-000068)

28. The members of the Commission have reviewed thousands of residency verification forms throughout our careers. We find the statements outlined above to be markedly uncharacteristic of the types of statements generally made in authentic forms of this nature.

29. Also submitted to the SMHS credentialing office was a one-page residency verification form. (ABME Ex. 4, ABME000070). It, too, contains false statements and the forged signature of Dr. Prosser. Dr. Prosser told SMHS, and

he directly confirmed in his sworn testimony before the Commission, that he neither completed, signed, nor submitted the residency verification form.

30. Specifically, the one-page residency verification form represents that Respondent was a resident at the Medical College of Georgia from July 1, 2009 through June 30, 2012. It further claims that Respondent's residency was terminated "due to voluntary nonrenewal of contract due to family health." In response to the question, "During the time noted was this practitioner ever subject to any disciplinary action?" Response was "None." All of these statements are false, and none of them were actually communicated by Dr. Prosser.

31. Finally, a three-page document entitled "ACGME Summative Evaluation – Verification of Graduate Medical Education & Training" was submitted to SMHS. (ABME Ex. 4, ABME000072-ABME000074.) The ACGME Summative Evaluation document also contains multiple false statements, as well as the forged signature of Dr. Prosser. Dr. Prosser told SMHS, and he directly confirmed in his sworn testimony before the Commission, that he neither completed, signed, nor submitted the ACGME Summative Evaluation form.

32. The ACGME Summative Evaluation document includes a representation that Respondent did not complete his residency training program "due to VOLUNTARY [*sic*] nonrenewal of contact [*sic*] because of family severe

health conditions.” It also contains negative responses to the following series of questions:

Was the trainee subject to any of the following during training?

- (i) Conditions or restrictions beyond those generally associated with the training regimen at your facility;
- (ii) Involuntary leave of absence;
- (iii) Suspension;
- (iv) Non-promotion/non-renewal; or
- (v) Dismissal.

(ABME Ex. 4, ABME000072-ABME000073.)

33. We find the representations about the reasons for Respondent’s discontinuation of the residency program at the Medical College of Georgia, and the negative responses to the foregoing questions, to be factually false and plainly contradicted by Respondent’s residency record at the Medical College of Georgia.

34. Respondent denies creating any of the forged documents submitted to SMHS. Based on our direct observations of Respondent’s oral testimony, our observations of Respondent’s demeanor and credibility, as well as the first-hand testimony of Dr. Prosser that he did not complete, sign, or submit any of the documents referred to above, and based on the totality of the evidence presented, both direct and circumstantial, we choose to discredit Respondent’s denial and find instead that the false and forged documents submitted to SMHS were created

by, or at the direction of, Respondent. Respondent is the only person who stood to gain from the false representations, he had the means to carry out the false representations, and there simply is no other plausible alternative hypothesis. We find as a matter of fact, therefore, that all of the false statements referred to in Findings of Fact Nos. 25, 26, 30, 32, and 33 were in fact made by Respondent, and that they were knowingly false when made.

IV. Conclusions of Law

1. The Medical Licensure Commission of Alabama has jurisdiction over the subject matter of this contested case proceeding pursuant to Act No. 1981-218, Ala. Code §§ 34-24-310, *et seq.* 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. In addition to all other authorized penalties and remedies, the Commission may impose a fine of up to \$10,000 per violation, and may require the payment of administrative expenses incurred in connection with the disciplinary proceeding. Ala. Code § 34-24-381(a), (b).

2. Respondent was properly notified of the time, date, and place of the administrative hearing and of the charges against him in compliance with Ala.

Code §§ 34-24-361(e) and 41-22-12, 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. Respondent graduated from a medical school outside the United States. As a prerequisite to becoming legally qualified to obtain a certificate of qualification and license to practice medicine in Alabama, therefore, Respondent was required to complete three years of accredited postgraduate training. At the time of Respondent's application for a certificate of qualification, Ala. Code § 34-24-70(a)(2) provided:

(a) The following constitute the requirements for the issuance of a certificate of qualification for a license to practice medicine in this state:

* * *

(2) POSTGRADUATE EDUCATION REQUIREMENT.

* * *

2. All other applicants for a certificate of qualification who graduated from a college of medicine not accredited by the Liaison Committee on Medical Education of the American Medical Association or a college of osteopathy not accredited by the American Osteopathic Association shall present evidence satisfactory to the board that the applicant has completed three years of postgraduate or residency training in any of the following programs:

a. A program listed in the directory of approved residency training programs published by the American Medical Association.

b. A program accredited by the American Osteopathic Association.

c. A program accredited by the Accreditation Committee of Royal College of Physicians and Surgeons of Canada.

d. A program accredited by the College of Family Physicians of Canada.

Ala. Code 34-24-70(a), as amended by Act No. 2009-34 (emphasis added).⁶

4. As a matter of law, Respondent was not legally qualified for a certificate of qualification when he submitted his application to the Board. Respondent would not have been issued a certificate of qualification, nor a license to practice medicine in the State of Alabama, but for the false statements and fraudulent documents submitted by him to the Board of Medical Examiners.

5. An Alabama physician may be disciplined if, after notice and hearing, he or she is found to have committed “[f]raud in applying for or procuring a certificate of qualification to practice medicine or osteopathy or a license to practice medicine or osteopathy in the State of Alabama.” Ala. Code § 34-24-360(1).

6. The facts as found above—particularly, Findings of Fact Nos. 15, 20, and 21—lead us to conclude that Respondent is guilty of “[f]raud in applying for

⁶ As it stands today, Section 34-24-70(a)(2) requires graduates of foreign medical schools to obtain only two years of post-graduate residency training. Act No. 2023-233 reduced the post-graduate residency training requirement from three years to two.

or procuring a certificate of qualification to practice medicine or osteopathy or a license to practice medicine or osteopathy in the State of Alabama” as charged in Counts One, Two, Five, and Six of the Amended Administrative Complaint.

7. A physician may also be disciplined for “[u]nprofessional conduct as defined herein or in the rules and regulations promulgated by the commission.” Ala. Code § 34-24-360(2). Under our rules, it is “unprofessional conduct” for a physician to “[k]nowingly mak[e] any false or fraudulent statement, written or oral, in connection with . . . applying for privileges or renewing an application for privileges at a health care institution.” Ala. Admin. Code r. 545-X-4-.06(16).

8. The facts as found above—particularly, Findings of Fact Nos. 25, 26, and 30-34—lead us to conclude that Respondent is guilty of “unprofessional conduct” as charged in Counts Three and Four of the Amended Administrative Complaint.

9. We reach these conclusions based all of the evidence presented, viewed through the lens of our professional experience and specialized knowledge of the practice of medicine. *See* Ala. Code § 41-22-13(5) (“The experience, technical competence, and specialized knowledge of the agency may be utilized in the evaluation of the evidence.”).

V. Decision

Based on all of the foregoing, it is **ORDERED, ADJUDGED, AND DECREED:**

1. That the Respondent, Tarik Yahia Farrag, M.D., is adjudged **GUILTY** of fraud in applying for and procuring a certificate of qualification and license to practice medicine in violation of Ala. Code § 34-24-360(1), as charged in Count One of the Administrative Complaint.

2. That the Respondent, Tarik Yahia Farrag, M.D., is adjudged **GUILTY** of fraud in applying for and procuring a certificate of qualification and license to practice medicine in violation of Ala. Code § 34-24-360(1), as charged in Count Two of the Administrative Complaint.

3. That the Respondent, Tarik Yahia Farrag, M.D., is adjudged **GUILTY** of unprofessional conduct in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-X-4-.06(16), as charged in Count Three of the Administrative Complaint.

4. That the Respondent, Tarik Yahia Farrag, M.D., is adjudged **GUILTY** of unprofessional conduct in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-X-4-.06(16), as charged in Count Four of the Administrative Complaint.

5. That the Respondent, Tarik Yahia Farrag, M.D., is adjudged **GUILTY** of fraud in applying for and procuring a certificate of qualification and license to practice medicine in violation of Ala. Code § 34-24-360(1), as charged in Count Five of the Administrative Complaint.

6. That the Respondent, Tarik Yahia Farrag, M.D., is adjudged **GUILTY** of fraud in applying for and procuring a certificate of qualification and license to practice medicine in violation of Ala. Code § 34-24-360(1), as charged in Count Six of the Administrative Complaint.

7. That, separately and severally for each of Counts One, Two, Three, Four, Five, and Six, Respondent's license to practice medicine in the State of Alabama is **REVOKED**.⁷

8. That Respondent shall, within 30 days of this Order,⁸ pay an administrative fine in the amount of \$10,000.00 as to Count One, \$10,000.00 as to Count Two, \$10,000.00 as to Count Three, \$10,000.00 as to Count Four,

⁷ The revocation of a license to practice medicine in Alabama triggers certain legal obligations with regard to patient notification and patient records. *See* Ala. Admin. Code r. 540-X-9-.10(3), (4)(c); 545-X-4-.08(3), (4)(c). Respondent shall review and comply with these requirements.

⁸ *See* Ala. Admin. Code r. 545-X-3-.08(8)(d)(i). Respondent is further advised that "[t]he 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).

\$10,000.00 as to Count Five, and \$10,000.00 as to Count Six, for a total administrative fine of \$60,000.00.

9. That within 30 days of this order, the Board shall file its bill of costs as prescribed in Ala. Admin. Code r. 545-X-3-.08(10)(b), and Respondent shall file any objections to the cost bill within 10 days thereafter, as prescribed in Ala. Admin. Code r. 545-X-3-.08(10)(c). The Commission reserves the issue of imposition of costs until after full consideration of the Board's cost bill and Respondent's objections, and this reservation does not affect the finality of this order. *See* Ala. Admin. Code r. 545-X-3-.08(10)(e).

DONE on this the 14th day of September, 2023.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-09-14 11:19:17 CDT

Craig H. Christopher, M.D.
its Chairman