

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

September 27, 2023

MEMBERS PRESENT IN PERSON

Craig H. Christopher, M.D., Chairman
Jorge Alsip, M.D., Vice-Chairman
Kenneth W. Aldridge, M.D.
L. Daniel Morris, Esq
Nina Nelson-Garrett, M.D.
Pamela Varner, M.D.

MEMBERS NOT PRESENT

Howard J. Falgout, M.D.

MEMBERS PRESENT VIRTUALLY

Paul M. Nagrodzki, M.D.

MLC STAFF

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

BME STAFF

Rebecca Daniels, Investigator
Randy Dixon, Investigator
Amy Dorminey, Operations Director
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
Scott Sides, Investigator
Christy Stewart, Paralegal

Call to Order: 9:00 a.m.

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

OLD BUSINESS

Minutes August 23, 2023

Commissioner Aldridge made a motion that the Minutes of August 23, 2023, be approved. A second was made by Commissioner Alsip. A roll call vote was taken. The votes were: Christopher, aye; Morris, aye; Nagrodzki, aye; Nelson-Garrett, aye; and Varner, aye.

NEW BUSINESS

Full License Applicants

<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>
1. Rachel Helen Alison	East Tennessee State Univ James H Quillen College of Medicine	USMLE/KY
2. Sameer Anor Azhak	St Georges University of London	USMLE/NJ
3. Andrea Rae Bartlett	Kansas City University of Physicians & Surgeons	COMLEX
4. Jessica Behrndt	Florida State University College of Medicine	USMLE
5. Maria Elizabeth Beltran	University of Medicine and Health Sciences, St. Kitts	USMLE
6. Mohammad P Bhidyia	Aga Khan Medical College, Aga Khan University	FLEX/PA
7. Carolyn Ruth Blackman	Warren Alpert Med Sch of Brown Univ /Dartmouth Med School	USMLE/RI
8. Courtney Bloomer	New York College of Osteopathic Medicine	COMLEX/NJ
9. Daniel Borota	Johns Hopkins University School of Medicine	USMLE
10. Yanis Bumber	Rostovskij Medical Institute	USMLE/MD
11. Kennon Pouncey Brake	University of Alabama School of Medicine Birmingham	USMLE
12. Josue Michael Breaux	Tulane University School of Medicine	USMLE
13. Lauren Brewer	Univ of Tennessee Health Science Center College of Medicine	USMLE
14. Paul Clint Bricker	Texas A&M University Health Science Center College of Medicine	USMLE/NE
15. Zachary David Brown	Univ of North Carolina School at Chapel Hill School of Medicine	USMLE
16. Tron Lewill Bullard	Augusta University	USMLE/GA
17. Lee Allen Butler	University of Alabama School of Medicine Birmingham	USMLE
18. Naveed Hassan Butt	Rawalpindi Medical College, University of the Punjab	USMLE/WV
19. William Cauthen	University of South Carolina School of Medicine	NBME/IL
20. Shawn Chopra	Central America Health Science University	USMLE/FL
21. Scott Lee Clanton	Mercer Univ College of Health Prof Master of Medical Science	USMLE
22. Denver James Crumpler	University of Alabama School of Medicine Birmingham	USMLE
23. Sarah Diana Dabbas	Near East University Faculty of Medicine	USMLE



<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>
24. Christina Marie Daniel	University of Mississippi School of Medicine	USMLE
25. Renita Elise Daniels	University of Alabama School of Medicine Birmingham	USMLE
26. Samantha Delaney	Mercer Univ College of Health Prof Master of Medical Science	USMLE
27. Anthony John Dina	Florida State University College of Medicine	USMLE
28. Joseph A Dipietro	Mercer Univ College of Health Prof Master of Medical Science	USMLE/LA
29. Jason Dana Dunleavy	University of Vermont College of Medicine	USMLE/VT
30. Sahithi Edavally	Augusta University	USMLE
31. Katie Elizabeth Fogle	University of Alabama School of Medicine Birmingham	USMLE
32. Gregory Leo Freimer	Jefferson Medical College of Thomas Jefferson University	USMLE/MI
33. Nathaniel C Gallagher	Marshall University School of Medicine	USMLE
34. Merna A George	St Georges University of London	USMLE
35. LouAnne L Giangreco	Albany Medical College	USMLE/NY
36. Nicholas M Goodwin	American University of The Caribbean	USMLE
37. Jatinder Goyal	All India Institute of Medical Sciences	USMLE/MA
38. Sarah E Grant	A T Still University School of Osteopathic Medicine	COMLEX
39. Christopher A Griggs	Kansas City College of Medicine & Surgery	COMLEX/OH
40. Andy Michael Halberg	Michigan State University College of Osteopathic Medicine	COMLEX/AZ
41. Major Tyner Hargrove	Edward Via College of Osteopathic Medicine-Auburn campus	COMLEX
42. Delon N Hebron	Rosalind Franklin University of Medicine and Science	USMLE/IL
43. Allyson Heng	University of Alabama School of Medicine Birmingham	USMLE
44. Sadie Mar Henry	Touro U College of Osteopathic Medicine	COMLEX/VA
45. Reginald D Hughes	University of Alabama School of Medicine Birmingham	USMLE/NY
46. Janet M Hurlburt	Univ of Buffalo SUNY School of Medicine & Biomedical Sciences	USMLE/NY
47. David George Janarius	University of Miami Miller School of Medicine	USMLE/CA
48. Kavina Kamlesh Jani	San Juan Bautista School of Medicine	USMLE
49. Kyle Barnes Joseph	Philadelphia College of Osteopathic Medicine	COMLEX
50. Sundeep Keswani	Ross Univ / Univ of the West Indies, Trinidad	USMLE/LA
51. Huma Sarwar Khan	University of Science, Arts, Technology Faculty of Medicine	USMLE/TN
52. Paul Wayne Kirby	East Tennessee State Univ, James H Quillen College of Medicine	USMLE
53. Brian Fuller Kirkwood	University of Alabama School of Medicine Birmingham	USMLE
54. Colton Thomas Knight	University of South Alabama College of Medicine	USMLE
55. Jackson Henry Landow	Mercer University School of Medicine	USMLE
56. Leslie Ann Lane	University of California, Davis School of Medicine	USMLE/CA
57. Ketialie E Laroche	Meharry Medical College School of Medicine	USMLE
58. Alyssa Marie Lee	University of South Carolina School of Medicine	USMLE
59. Joseph Gary Livingston	Washington University School of Medicine	USMLE/MO
60. Atul Lodh	Augusta University	USMLE
61. Zachary Allen Manning	University of Missouri School of Medicine Columbia	USMLE/MO
62. Richard H Mansfield	Nova Southeastern University College of Medicine	COMLEX/FL
63. Julianne M Mazurek	SUNY at Buffalo School of Medicine & Biomedical Science	NBME/CO
64. David M McCalman III	University of Alabama School of Medicine Birmingham	USMLE
65. Christopher McGowan	Sidney Kimmel Medical College at Thomas Jefferson University	USMLE/RI

CAC

<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>
66. Nanci M Mercer	Medical College of Pennsylvania	USMLE/MI
67. Antonio De Jesus Meza	University of Alabama School of Medicine Birmingham	USMLE
68. David Preston Mitchell	Ross University	USMLE
69. Luke Ali Moradi	University of Alabama School of Medicine Birmingham	USMLE
70. Nicholas C Obremskey	University of South Carolina School of Medicine Greenville	USMLE
71. Sahil Mukesh Patel	Philadelphia College of Osteopathic Medicine	COMLEX
72. Suhag Patel	Rosalind Franklin University of Medicine and Science	USMLE/PA
73. Nicholas Ryan Paul	Campbell Univ, Jerry M. Wallace School of Osteopathic Medicine	NBME
74. Krystle Lashell Pew	Howard University College of Medicine	USMLE/MD
75. Stephanie Tran Phan	Tufts University School of Medicine	USMLE/CA
76. KirbyAnne E Plessala	Louisiana State University School of Medicine New Orleans	USMLE
77. Sarah A Prickett	University of Texas Southwestern Medical Center at Dallas	USMLE
78. Avirath Purohit	Alabama College of Osteopathic Medicine	COMLEX
79. Rilee Dawn Racine	Augusta University School of Medicine	USMLE
80. Rachel Leigh Roark	University of Arkansas College of Medicine	USMLE
81. Etienne Jose Rodriguez	Ponce School of Medicine / Mercer Univ School of Medicine	USMLE/GA
82. Armen Leon Roupelian	University of Massachusetts Medical School	NBME/AK
83. David Mark Rowe	Virginia Commonwealth University School of Medicine	USMLE/VA
84. Thomas Michael Ruli	Louisiana State University School of Medicine New Orleans	USMLE
85. Sean A N Salonga	Meharry Medical College School of Medicine	USMLE
86. Alex Camron Sanders	University of Arkansas College of Medicine	USMLE/AR
87. Paul Frederick Sauer Jr.	University of Alabama School of Medicine Birmingham	USMLE/KY
88. Kavir Saxena	King Georges Medical University	USMLE/VA
89. Katie Rebecca Scott	University of Mississippi School of Medicine	USMLE
90. Anna L Seidenburg	University of Mississippi School of Medicine	USMLE
91. Ashish B Shah	Government Med College Surat / Pramukswami Med College	USMLE/OH
92. Heerain Ashok Shah	Augusta University School of Medicine	USMLE/GA
93. Mohammad A A Shamsi	King Georges Medical University	USMLE/CT
94. Radhika Sharma	Wayne State University School of Medicine	USMLE/TN
95. Brandon B Shetuni	Ohio University	USMLE/IL
96. Joseph F Shnouda	University of Alexandria	USMLE/NY
97. Nancy Claire Smith	East Tennessee State Univ, James H Quillen College of Medicine	USMLE
98. Shane Britton Snider	Alabama College of Osteopathic Medicine	COMLEX/OH
99. David C Spence	Univ of Tennessee Health Science Center College of Medicine	USMLE/UT
100. Leslee Ann Stevenson	John A Burns School of Medicine University of Hawaii	USMLE/HI
101. Brian Richard Still	University of South Carolina School of Medicine	USMLE/SC
102. Larisa Syrow	State University of New York Upstate Medical University	USMLE/PA
103. Vinita Dhir Tandon	Boston University School of Medicine	USMLE/GA
104. Vijay B Reddy Thumma	Gandhi Medical College, Secunderabad	USMLE/LA
105. Samuel Grey Tilden	University of Alabama School of Medicine Birmingham	USMLE/NC
106. Alan Anh-Viet Truong	SUNY Downstate College of Medicine	USMLE/CA
107. Khem Raj Uprety	Kathmandu Medical College	USMLE

<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>
108.Muhammad Usman	Latin American School of Medicine	USMLE/FL
109.Kevin Varghese	University of Mississippi School of Medicine	USMLE
110.Kathryn McRae Vickers	University of Kentucky College of Medicine	USMLE
111.Ethan G Wainblat	Ohio University	USMLE/OH
112.Shannon C Walker	University of Alabama School of Medicine Birmingham	USMLE
113.Eric Cornelius Walker	Florida State University College of Medicine	USMLE/FL
114.Clara Wan	University of Alabama School of Medicine Birmingham	USMLE
115.Daniel S Weintraub	Augusta University	USMLE
116.John Martin West	University of Alabama School of Medicine Birmingham	USMLE
117.Kayla E Westerman	University of Texas Medical School at Galveston	USMLE
118.Kevin Wong	Touro University College of Osteopathic Medicine	COMLEX/MI
119.Stacy Michelle Young	Florida Atlantic University, Charles E. Schmidt College of Medicine	USMLE
120.Ryan Jon Dalisky	Kirksville College of Osteopathic Medicine	COMLEX/MI
121.Jonathan Daniel Lewis	Marshall Univ Sch of Med/WV Univ Sch of Med	USMLE/FL
122.*William E Hardwick	Edward Via College of Osteo Med – Auburn	COMLEX
123.*Ashley Nicole Matoga	Edward Via College of Osteo Med – Auburn	COMLEX
124.*Eunice Cupidon Abrams	University of Iowa Carver College of Medicine	USMLE/MI
125.*Robel E Ghebrekristos	Univ of Texas Medical School at Galveston	USMLE/TX
126.Adeniyi C Babalola	Rosalind Franklin Univ of Medicine and Science	USMLE/NJ
127.Magdy Nassif Falestiny	Ain Shams University Faculty of Medicine	FLEX/PA

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

A motion was made by Commissioner Alsip with a second by Commissioner Morris to approve applicant numbers one through one hundred twenty-seven (1-127) for full licensure. A roll call vote was taken. The votes were: Christopher, aye; Aldridge, aye; Nagrodzki, aye; Nelson-Garrett, aye; and Varner, aye.

Limited License Applicants

	<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>	<u>Location</u>	<u>License</u>
1.	Usman Aamir	Shifa College of Medicine	LL/AL	UAB Selma FM	R
2.	Ahmed Abdelhaleem	Menoufia Univ Faculty of Medicine	LL/AL	UAB Huntsville IM	R
3.	Bentley M Akoko	Uni of Buea Faculty of Health Sciences	LL/AL	Thomas Hospital IM	R
4.	Mohieddin Albarazi	Alfaisal University College of Medicine	LL/AL	North AL Med Center IM	R
5.	Srihasa Allam	Mamata Medical College	LL/AL	Thomas Hospital IM	R
6.	Raghunandan Avula	Univ of Pittsburgh School of Medicine	LL/AL	Thomas Hospital IM	R
7.	Soumyadeep Bag	B. Sammilani Med, Univ of Calcutta	LL/AL	UAB Huntsville IM	R
8.	Sumita R Chakrapani	St Georges University of London	LL/AL	North AL Med Center Psychiatry	R
9.	Anusha Chintapalli	Guntur Med, Nagarjuna University	LL/AL	North AL Med Center Psychiatry	R
10.	Robert Michael Chory	Virginia Commonwealth Sch of Med	LL/AL	Thomas Hospital IM	R

<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>	<u>Location</u>	<u>License</u>
11. Kelsey R Dombrowski	Alabama College of Osteo Medicine	LL/AL	Thomas Hospital IM	R
12. Pankil P Doshi	Univ of Northern Philippines C of Med	LL/AL	Baptist Health Montgomery FM	R
13. Tyler Patrick Dunn	Philadelphia College of Osteo Medicine	LL/AL	Thomas Hospital IM	R
14. Audrey E Flower	Alabama College of Osteo Medicine	LL/AL	Thomas Hospital IM	R
15. Vijaya D P Ganipineni	Guntur Med, Nagarjuna University	LL/AL	Thomas Hospital IM	R
16. Nsikak M Jackson	University of Calabar	LL/AL	Thomas Hospital IM	R
17. Saswat Kumar Jha	Kathmandu Medical College	LL/AL	USA Health Pediatrics	R
18. Ahmed S Khalaf	Ain Shams Univ Faculty of Medicine	LL/AL	UAB Diagnostic Radiology	R
19. Usbah Khalid	University of Health Sciences Lahore	LL/AL	Crestwood Medical Center FM	R
20. Jatinder Kumar	Lala Lajbut Rai Mem Med, Meerut Univ	LL/AL	USA Urology	SP
21. Ayan Kumar	Inst of Med Sci, Banaras Hindu Univ	LL/AL	North AL Med Center Psychiatry	R
22. James Alexander Long	Univ of Mississippi School of Medicine	LL/AL	UAB Huntsville IM	R
23. Christian Zane Motley	William Carey Univ C of Osteo Med	LL/AL	UAB Huntsville IM	R
24. Bhargavi Nagendra	Rajiv Gandhi Univ of Health Sciences	LL/AL	North AL Med Center Psychiatry	R
25. Aesha Jayesh Patel	Alabama College of Osteo Medicine	LL/AL	UAB Huntsville IM	R
26. Timothy Vinh Pham	Baylor College of Medicine	LL/AL	UAB Huntsville IM	R
27. Rabia Qazi	Dow Medical College, Univ of Karachi	LL/AL	North AL Med Center IM	R
28. Hinal Rathi	Arkansas College of Osteo Medicine	LL/AL	UAB Huntsville IM	R
29. Elad Haim Resnick	Hadassah Med School, Hebrew Univ	LL/AL	UAB Nephrology Fellowship	F
30. Haya Salahia	Tanta University	LL/AL	Brookwood Baptist IM	R
31. Alina Sehar	United Med/Den Guys, St Thomas Hos	LL/AL	UAB Huntsville IM	R
32. Omid Shafaat	Arak University of Medical Sciences	LL/AL	UAB Radiology	R
33. Muhammad Shehryar	Frontier Medical & Dental College	LL/AL	Baptist Health FM	R
34. Rabi Shrestha	Nepal Medical College	LL/AL	Crestwood Medical Center IM	R
35. Morgan E Spalitta	LSU School of Medicine New Orleans	LL/AL	UAB Huntsville IM	R
36. Nishitha R Vempalli	Gandhi Medical College, Secunderabad	LL/AL	Thomas Hospital IM	R
37. Yuanfan Yang	Peking Union Medical University	LL/AL	UAB Neurosurgery	R

A motion was made by Commissioner Alsip with a second by Commissioner Morris to approve applicant numbers one through thirty-seven (1-37) for limited licensure. A roll call vote was taken. The votes were: Christopher, aye; Aldridge, aye; Nagrodzki, aye; Nelson-Garrett, aye; and Varner, aye.

IMLCC Report

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

APPLICANTS FOR REVIEW

Danielle Gershon, M.D.

A motion was made by Commissioner Nelson-Garrett with a second by Commissioner Morris to approve Dr. Gershon's application for full licensure. A roll call vote was taken. The votes were: Christopher, aye; Aldridge, aye; Alsip, aye; Nagrodzki, aye; and Varner, aye.

REPORTS

Physician Monitoring Report

The Commission received as information the physician monitoring report dated September 20, 2023. A copy of the report is attached as Exhibit "B".

Rule Review Certification

The Commission received as information the Alabama Administrative Procedure Act Rule Review Certification attesting to the completed review of Ala. Admin. Code r. Chapter 545 in accordance with Section 41-22-5.2 of the Code of Alabama (1975). A copy of the certification is attached hereto as Exhibit "C".

DISCUSSION ITEMS

MD Anderson Licensure Clarification

A motion as made by Commissioner Alsip with a second by Commissioner Morris to collaborate with the Alabama State Board of Medical Examiners on a joint response to The University of Texas MD Anderson Cancer Center regarding their request for clarification of licensure requirements for their residents providing telemedicine services. A copy of the memorandum is attached hereto as Exhibit "D".

2024 MLC Meeting Calendar

The Commission received as information the proposed 2024 MLC meeting calendar. Chairman Christopher requested the proposed 2024 MLC meeting calendar be added to the October 31, 2023 agenda for further consideration. A copy of the drafted meeting calendar is attached hereto as Exhibit "E".

BME Rule for Publication: 540-X-18-.03.01 and 540-X-18-.05.01 Application and Renewal of a Qualified Alabama Controlled Substance Registration Certificate (QACSC)

The Commission received as information the BME Rule for Publication: 540-X-18-.03.01 and 540-X-18-.05.01 Application and Renewal of a Qualified Alabama Controlled Substance Registration Certificate (QACSC). A copy of the rule is attached as Exhibit "F".

Proposed Emergency Rule Change of Alabama Admin. Code r. 545-X-2-.08

A motion was made by Commissioner Alsip with a second by Commissioner Morris to approve the proposed Emergency Rule Change of Ala. Admin. Code r. 545-X-2-.08. A roll call vote was taken. The votes were: Christopher, aye; Aldridge, aye; Nagrodzki, aye; Nelson-Garrett, aye; and Varner, aye. A copy of the rule is attached as Exhibit "G".

REQUESTS

Mark P. Koch, D.O.

The Commission considered Dr. Koch's request to amend the frequency of his monitoring requirements. A motion was made by Commissioner Alsip with a second by Commissioner Aldridge to enter an order denying Dr. Koch's request. A roll call vote was taken. The votes were: Christopher, aye; Morris, aye; Nagrodzki, aye; Nelson-Garrett, aye; and Varner, aye. A copy of the Commission's order is attached hereto as Exhibit "H".

ADMINISTRATIVE FILINGS

Jenny Alexander, M.D.

The Commission received a Joint Settlement Agreement and Consent Order between Dr. Alexander and the Alabama State Board of Medical Examiners. A motion was made by Commissioner Aldridge with a second by Commissioner Morris to accept the Joint Settlement Agreement and to enter a Consent Decree incorporating its terms. A roll call vote was taken. The votes were: Christopher, aye; Alsip, aye; Nagrodzki, aye; Nelson-Garrett, aye; and Varner, aye. A copy of the Commission's order is attached hereto as Exhibit "I".

Charlie Wilson Dean, M.D.

The Commission received as information the motion to withdraw the notice of intent to contest reinstatement filed by the Alabama Board of Medical Examiners.



Thomas H. Fuqua, Jr., M.D.

The Commission received a Joint Settlement Agreement and Consent Order between Dr. Fuqua and the Alabama State Board of Medical Examiners. A motion was made by Commissioner Alsip with a second by Commissioner Morris to accept the Joint Settlement Agreement and to enter a Consent Decree incorporating its terms. A roll call vote was taken. The votes were: Christopher, aye; Aldridge, aye; Nagrodzki, aye; Nelson-Garrett, aye; and Varner, aye. A copy of the Commission's order is attached hereto as Exhibit "J".

Severin Winter Grenoble, M.D.

The Commission received the Voluntary Surrender of Dr. Grenoble's Alabama medical license filed by the Alabama State Board of Medical Examiners. A motion was made by Commissioner Alsip with a second by Commissioner Nelson-Garrett to accept the Voluntary Surrender. A roll call vote was taken. The votes were: Christopher, aye; Aldridge, aye; Morris, aye; Nagrodzki, aye; and Varner, aye. A copy of the Commission's order is attached hereto as Exhibit "K".

Joann Johnson, M.D.

The Commission received a Joint Settlement Agreement and Consent Order between Dr. Johnson and the Alabama State Board of Medical Examiners. A motion was made by Commissioner Nelson-Garrett with a second by Commissioner Morris to accept the Joint Settlement Agreement and to enter a Consent Decree incorporating its terms. A roll call vote was taken. The votes were: Christopher, aye; Aldridge, aye; Alsip, aye; Nagrodzki, aye; and Varner, aye. A copy of the Commission's order is attached hereto as Exhibit "L".

Richard Edwin Jones, III, M.D.

The Commission received an Administrative Complaint filed by the Alabama State Board of Medical Examiners. A motion was made by Commissioner Alsip with a second by Commissioner Morris to enter an order setting a hearing for February 28, 2024. Commissioner Aldridge recused himself from all discussion and deliberation in this case. A roll call vote was taken. The votes were: Christopher, aye; Nagrodzki, aye; Nelson-Garrett, aye; and Varner, aye. A copy of the Commission's order is attached hereto as Exhibit "M".



George McKean, Jr., M.D.

The Commission received a Joint Settlement Agreement and Consent Order between Dr. McKean and the Alabama State Board of Medical Examiners. A motion was made by Commissioner Alsip with a second by Commissioner Morris to accept the Joint Settlement Agreement and to enter a Consent Decree incorporating its terms. A roll call vote was taken. The votes were: Christopher, aye; Aldridge, aye; Nagrodzki, aye; Nelson-Garrett, aye; and Varner, aye. A copy of the Commission's order is attached hereto as Exhibit "N".

William J. Schulte, M.D.

The Commission received a Joint Settlement Agreement and Consent Order between Dr. Schulte and the Alabama State Board of Medical Examiners. A motion was made by Commissioner Nelson-Garrett with a second by Commissioner Varner to accept the Joint Settlement Agreement and to enter a Consent Decree incorporating its terms. A roll call vote was taken. The votes were: Christopher, aye; Aldridge, aye; Alsip, aye; Morris, aye; and Nagrodzki, aye. A copy of the Commission's order is attached hereto as Exhibit "O".

Alvin M. Stinson, III, M.D.

The Commission received a motion to withdraw the Notice of Intent to Contest Reinstatement filed by the Alabama State Board of Medical Examiners. A motion was made by Commissioner Aldridge with a second by Commissioner Morris to enter an order to dismiss the Administrative Complaint filed by the Alabama State Board of Medical Examiners without prejudice. A roll call vote was taken. The votes were: Christopher, aye; Alsip, aye; Nagrodzki, aye; Nelson-Garrett, aye; and Varner, aye. A copy of the Commission's order is attached hereto as Exhibit "P".

Monica Williams, M.D.

The Commission received a Joint Settlement Agreement and Consent Order between Dr. Williams and the Alabama State Board of Medical Examiners. A motion was made by Commissioner Alsip with a second by Commissioner Morris to accept the Joint Settlement Agreement and to enter a Consent Decree incorporating its terms. A roll call vote was taken. The votes were: Christopher, aye; Aldridge, aye; Nagrodzki, aye; Nelson-Garrett, aye; and Varner, aye. A copy of the Commission's order is attached hereto as Exhibit "Q".



Brian M. Wood, M.D.

The Commission received a Joint Settlement Agreement and Consent Order between Dr. Wood and the Alabama State Board of Medical Examiners. A motion was made by Commissioner Aldridge with a second by Commissioner Nelson-Garrett to accept the Joint Settlement Agreement and to enter a Consent Decree incorporating its terms. A roll call vote was taken. The votes were: Christopher, aye; Alsip, aye; Morris, aye; Nagrodzki, aye; and Varner, aye. A copy of the Commission's order is attached hereto as Exhibit "R".

At 10:20 a.m., Commissioner Nagrodzki remotely logged off of the meeting and the Commission entered closed session pursuant to Alabama Code § 34-24-361.1 to hear and consider the following matters:

HEARINGS

John Henderson, D.O.

At the conclusion of this hearing, a motion was made by Commissioner Alsip with a second by Commissioner Aldridge to issue an order reprimanding Dr. Henderson's Alabama medical license and assessing an administrative fine in the amount of \$5,000. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "S".

Ajit Naidu, M.D.

The Commission received a proposed Joint Settlement Agreement filed by the Alabama State Board of Medical Examiners. A motion was made by Commissioner Aldridge with a second by Commissioner Nelson-Garrett to defer action until the Commission's October 31, 2023 meeting to allow time to receive and review additional information. The motion was approved by unanimous vote.

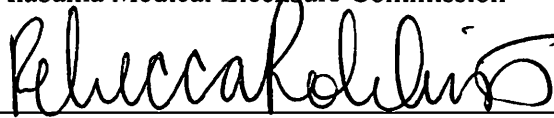
Meeting adjourned at 12:46 p.m.

PUBLIC MEETING NOTICE: The next meeting of the Alabama Medical Licensure Commission was announced for Tuesday, October 31, 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 August 1, 2023 - August 31, 2023 (125)

Name	License Type	License Number	Status	Issue Date	Expiration Date	State of Principal Licensure
Khalil Masabni	MD	47132	Active	8/14/2023	12/31/2023	Arizona
Divyesh Reddy Nemakayala	MD	47142	Active	8/16/2023	12/31/2023	Arizona
Eslam E Mohamed	DO	3391	Active	8/18/2023	12/31/2023	Arizona
Desi Jay Penington	MD	47081	Active	8/2/2023	12/31/2023	Colorado
Zachary Isaac Norman	MD	47120	Active	8/10/2023	12/31/2023	Colorado
Ann Marie Collier	MD	47137	Active	8/16/2023	12/31/2023	Colorado
Maria Carmela La Via	MD	47236	Active	8/23/2023	12/31/2023	Colorado
John Lee Haughom	MD	47271	Active	8/31/2023	12/31/2023	Colorado
Charlene Browne	MD	47104	Active	8/7/2023	12/31/2023	Delaware
Derrick Maurice Brooks	MD	47259	Active	8/29/2023	12/31/2023	District of Columbia
James Ronzo	DO	3388	Active	8/16/2023	12/31/2023	Georgia
Frank Sal Bono	DO	3389	Active	8/16/2023	12/31/2023	Georgia
Yves-Dany Accilien	MD	47140	Active	8/16/2023	12/31/2023	Georgia
Steve Eustace Aristomenis Kargas	MD	47158	Active	8/21/2023	12/31/2023	Georgia
Jason Alexander Foerter	MD	47164	Active	8/22/2023	12/31/2023	Georgia
Meena Ramaswami Kannan	MD	47167	Active	8/23/2023	12/31/2023	Georgia
Meenalochani Narayanan	MD	47111	Active	8/8/2023	12/31/2023	Illinois
Richelle Marie Strauss	MD	47160	Active	8/21/2023	12/31/2023	Illinois
Timothy Anthony Buckley	MD	47241	Active	8/24/2023	12/31/2023	Illinois
Anthony Joseph Buecker	MD	47244	Active	8/25/2023	12/31/2023	Illinois
Jessica Haewon Lee	MD	47255	Active	8/28/2023	12/31/2023	Illinois
William Carlson Logan Jr.	MD	47262	Active	8/29/2023	12/31/2023	Illinois
Leo Hsu	MD	47266	Active	8/30/2023	12/31/2023	Illinois
Melody A Msiska	MD	47131	Active	8/14/2023	12/31/2023	Indiana
Kyle Daniel English	MD	47217	Active	8/23/2023	12/31/2023	Indiana
Katie Dunbar	DO	3379	Active	8/1/2023	12/31/2023	Iowa
Mark Conliffe	DO	3390	Active	8/18/2023	12/31/2023	Kentucky
Christian Scheuermann	MD	47078	Active	8/2/2023	12/31/2023	Louisiana
Lily Awatif Hanna	MD	47093	Active	8/4/2023	12/31/2023	Louisiana
Melissa Walsh	MD	47163	Active	8/22/2023	12/31/2023	Maryland
Syed Mehdi Ali Jafri	DO	3381	Active	8/2/2023	12/31/2023	Michigan
Harishchandra Rathod	MD	47079	Active	8/2/2023	12/31/2023	Michigan

James Robert Powell	MD	47143	Active	8/16/2023	12/31/2023	Michigan
Peter Joseph Nye	MD	47144	Active	8/17/2023	12/31/2023	Michigan
Ronald Allen Stratton Jr.	DO	3392	Active	8/21/2023	12/31/2023	Michigan
Patricia Ann Schmidt	DO	3410	Active	8/29/2023	12/31/2023	Michigan
Chintan Desai	MD	47264	Active	8/30/2023	12/31/2023	Michigan
Tasneem Fatema Hasan	MD	47265	Active	8/30/2023	12/31/2023	Michigan
Rachel Wallace Tellez	MD	47267	Active	8/30/2023	12/31/2023	Michigan
Jonathan Jude Bruno	MD	47077	Active	8/2/2023	12/31/2023	Mississippi
Oneka Richardson	MD	47157	Active	8/21/2023	12/31/2023	Mississippi
Samson Otuwa	MD	47074	Active	8/2/2023	12/31/2023	Nevada
Darwana Ratleff Todd	MD	47134	Active	8/16/2023	12/31/2023	Nevada
Benjamin Clarence Groves	MD	47247	Active	8/25/2023	12/31/2023	New Hampshire
Cintasha Trena Redmond	MD	47248	Active	8/25/2023	12/31/2023	New Hampshire
Craig Thomas Mallak	MD	47069	Active	8/1/2023	12/31/2023	Ohio
Arnab Chakravarti	MD	47082	Active	8/3/2023	12/31/2023	Ohio
Munirah Bomani	MD	47099	Active	8/7/2023	12/31/2023	Ohio
William Asa Seeds	MD	47110	Active	8/8/2023	12/31/2023	Ohio
Anjuli Maharaj Shah	DO	3385	Active	8/8/2023	12/31/2023	Ohio
Joseph Ronald Cordova	MD	47130	Active	8/14/2023	12/31/2023	Ohio
David Yeunsik Hahn	MD	47138	Active	8/16/2023	12/31/2023	Ohio
Joseph M Okolo	MD	47075	Active	8/2/2023	12/31/2023	Tennessee
Annette E Kyzer	MD	47080	Active	8/2/2023	12/31/2023	Tennessee
Abby Charles Eblen	MD	47100	Active	8/7/2023	12/31/2023	Tennessee
George Alan Hill	MD	47101	Active	8/7/2023	12/31/2023	Tennessee
Glen Allen Weitzman	MD	47102	Active	8/7/2023	12/31/2023	Tennessee
John Robert Bierly	MD	47112	Active	8/9/2023	12/31/2023	Tennessee
Craig Swafford	MD	47122	Active	8/11/2023	12/31/2023	Tennessee
Aleta Nichole Simmons	MD	47139	Active	8/16/2023	12/31/2023	Tennessee
Donald R Quinn	MD	47141	Active	8/16/2023	12/31/2023	Tennessee
John Cavan Huggins	MD	47145	Active	8/17/2023	12/31/2023	Tennessee
Kathryn Lindley	MD	47246	Active	8/25/2023	12/31/2023	Tennessee
Paul Edward Butts	MD	47250	Active	8/28/2023	12/31/2023	Tennessee
Gheath Al-Atrash	DO	3377	Active	8/1/2023	12/31/2023	Texas
Denise Nebgen	MD	47067	Active	8/1/2023	12/31/2023	Texas
Ajay Kohli	MD	47073	Active	8/1/2023	12/31/2023	Texas

Anastasia Ruth Quinones	DO	3380	Active	8/2/2023	12/31/2023	Texas
Amit Lahoti	MD	47084	Active	8/3/2023	12/31/2023	Texas
Bassam Zahid	MD	47085	Active	8/3/2023	12/31/2023	Texas
Meena Chintapalli	MD	47087	Active	8/3/2023	12/31/2023	Texas
Ann Marie Gillenwater	MD	47089	Active	8/4/2023	12/31/2023	Texas
Nicole Dierschke Fleming	MD	47090	Active	8/4/2023	12/31/2023	Texas
Monica Elena Loghin	MD	47091	Active	8/4/2023	12/31/2023	Texas
Demetrio Juan Aguila	MD	47092	Active	8/4/2023	12/31/2023	Texas
Thomas Miller White	MD	47094	Active	8/4/2023	12/31/2023	Texas
Lauren Averett Byers	MD	47097	Active	8/7/2023	12/31/2023	Texas
John Andrew Livingston	MD	47098	Active	8/7/2023	12/31/2023	Texas
Robert Craig Richard	DO	3384	Active	8/7/2023	12/31/2023	Texas
Arnold Dela Cruz Paulino	MD	47103	Active	8/7/2023	12/31/2023	Texas
Pamela Therese Soliman	MD	47105	Active	8/7/2023	12/31/2023	Texas
Comron Hassanzadeh	MD	47108	Active	8/8/2023	12/31/2023	Texas
Brian Francis Chapin	MD	47109	Active	8/8/2023	12/31/2023	Texas
Renato Lenzi	MD	47113	Active	8/9/2023	12/31/2023	Texas
Hussein A Tawbi	MD	47114	Active	8/9/2023	12/31/2023	Texas
Jing Li	MD	47116	Active	8/10/2023	12/31/2023	Texas
Jamie Shin-Yi Lin	MD	47117	Active	8/10/2023	12/31/2023	Texas
Todd Allen Swanson	MD	47118	Active	8/10/2023	12/31/2023	Texas
Ashley Twyman	MD	47119	Active	8/10/2023	12/31/2023	Texas
Gabriel Bruffy-Holmes	MD	47121	Active	8/10/2023	12/31/2023	Texas
Timothy Chen-An Lee	MD	47123	Active	8/11/2023	12/31/2023	Texas
Milan Nalin Patel	MD	47124	Active	8/11/2023	12/31/2023	Texas
Jacqueline Michelle Tschanz	MD	47125	Active	8/11/2023	12/31/2023	Texas
Thomas Hendrix Beckham	MD	47126	Active	8/11/2023	12/31/2023	Texas
Jasmine Singh Sukumar	MD	47127	Active	8/11/2023	12/31/2023	Texas
Yun Shin Chun	MD	47128	Active	8/11/2023	12/31/2023	Texas
Carl M Gay	MD	47129	Active	8/14/2023	12/31/2023	Texas
Craig Jerome Kutz	MD	47135	Active	8/16/2023	12/31/2023	Texas
Rashed Abdullatif Alfarra	MD	47147	Active	8/18/2023	12/31/2023	Texas
Azadeh Nasrazadani	MD	47148	Active	8/18/2023	12/31/2023	Texas
Jessica Erin Maxwell	MD	47149	Active	8/18/2023	12/31/2023	Texas
Fredrick Bob Hagemester	MD	47150	Active	8/18/2023	12/31/2023	Texas

Jianjun Zhang	MD	47151	Active	8/18/2023	12/31/2023	Texas
Neal Akhave	MD	47152	Active	8/18/2023	12/31/2023	Texas
Celia Robinson Ledet	MD	47153	Active	8/18/2023	12/31/2023	Texas
Naruhiko Ikoma	MD	47154	Active	8/18/2023	12/31/2023	Texas
Beth Helmink	MD	47155	Active	8/18/2023	12/31/2023	Texas
Xiuning Le	MD	47159	Active	8/21/2023	12/31/2023	Texas
Lan Sun Wang	MD	47161	Active	8/21/2023	12/31/2023	Texas
Tina Cascone	MD	47162	Active	8/21/2023	12/31/2023	Texas
Peter Elliott Goldstein	MD	47165	Active	8/22/2023	12/31/2023	Texas
Eugene Tong	MD	47166	Active	8/22/2023	12/31/2023	Texas
Seungtaek Choi	MD	47251	Active	8/28/2023	12/31/2023	Texas
Zishuo Ian Hu	MD	47258	Active	8/29/2023	12/31/2023	Texas
Jonathan Benjamin Gill	MD	47261	Active	8/29/2023	12/31/2023	Texas
Yvonne Marie Contreras	MD	47088	Active	8/4/2023	12/31/2023	Utah
Emily Cook	DO	3386	Active	8/9/2023	12/31/2023	Utah
Douglas Harry Jones	MD	47136	Active	8/16/2023	12/31/2023	Utah
Steven Thomas Peacock	DO	3387	Active	8/16/2023	12/31/2023	Washington
Jie Liu	MD	47156	Active	8/21/2023	12/31/2023	Washington
Patrick J Moran	DO	3408	Active	8/28/2023	12/31/2023	Washington
Bradley Allen Nine	MD	47070	Active	8/1/2023	12/31/2023	West Virginia
Hedy Urueta Mazzilli	MD	47115	Active	8/9/2023	12/31/2023	Wisconsin
Stephen Tang Cruz	MD	47146	Active	8/17/2023	12/31/2023	Wisconsin
Om Prakash Ahuja	MD	47268	Active	8/30/2023	12/31/2023	Wisconsin

**Total licenses issued since April 2017 - 3,245*



EXHIBIT B

STATE of ALABAMA
MEDICAL LICENSURE COMMISSION

To: Medical Licensure Commission
From: Nicole Hardy
Subject: September Physician Monitoring Report
Date: 9/20/2023

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

Physician: Gary M. Bullock, D.O.
Order Type: MLC
Due Date: 6/27/2024
Order Date: 8/25/2023
License Status: Active-Probation
Requirements: Administrative Cost (\$27,460.27)
Administrative Fine (\$20,000)
Administrative Cost and Fine to be paid in full by 6/27/2024
Received: *No payment has been received.

Physician: Sharon G. Griffitts, M.D.
Order Type: MLC
Due Date: 12/31/2023
Order Date: 8/25/2023
License Status: Active
Requirements: Administrative Fine \$10,000 to be paid in full by 12/31/2023.
Received: *No payment has been received.

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

Rebecca Robbins
Director of Operations



STATE of ALABAMA
MEDICAL LICENSURE COMMISSION

EXHIBIT C

*Post Office Box 887
Montgomery, Alabama 36101*

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

ALABAMA ADMINISTRATIVE PROCEDURE ACT

RULE REVIEW CERTIFICATION

This will certify that the Medical Licensure Commission of Alabama has completed the review of its administrative rules as prescribed in Section 41-22-5.2 of the Code of Alabama (1975).

The Medical Licensure Commission of Alabama may propose changes to its administrative rules in accordance with Executive Order No. 735 (March 8, 2023).

DONE on this the 27th day of September, 2023.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

Craig H. Christopher, M.D.
its Chairman



EXHIBIT D

STATE of ALABAMA
MEDICAL LICENSURE COMMISSION

MEMORANDUM

To: Medical Licensure Commission
From: Rebecca Robbins
Subject: MD Anderson Licensure Clarification
Date: 09/25/2023

The Commission received a request on behalf of The University of Texas MD Anderson Cancer Center "MD Anderson", in Houston, Texas seeking clarification regarding licensure requirements of their residents and fellows. The specific request for clarification is detailed below:

"MD Anderson would appreciate your confirming that the trainees would not need to obtain an Alabama license, provided that: (1) their supervising faculty member is licensed in Alabama and (2) the trainees' video/telephonic services are limited to obtaining information on the standard History and Physical portion of the patients' medical record, including:

1. Reason for visit
2. History of present illness
3. Oncology history
4. Review of systems
5. Allergies
6. Current medications
7. OB/GYN history
8. Past medical history
9. Past surgical history
10. Family history
11. Social history – see medical record intake form for specific elements
12. Physical exam – very limited – see current virtual visit elements
13. Laboratory results
14. Pathology results
15. Imaging results
16. Assessment and plan – must be developed in coordination with and under the supervision of the Attending Physician. "

At the request of the Chairman, I reached out to other state medical boards to gain their perspective on the matter. The Georgia Composite Medical Board and the

Mississippi State Board of Medical Licensure received the same request from MD Anderson. I also reached out to the North Carolina Medical Board, who had not received the request but offered their perspective.

The Georgia Composite Medical Board decided that residents and fellows did not need a license if they are limited to obtaining information such as patient vitals and history. However, they did determine that residents and fellows needed to acquire licensure if they did any element of an evaluation or treatment of the patient. They further explained that their Board considered obtaining vitals and history as a function of a medical assistant, and medical assistants are not licensed in Georgia.

The Mississippi State Board of Medical Licensure reviewed the request and determined that the duties listed were considered the practice of medicine. The Mississippi Board found that despite being in coordination with a supervising attending physician, the assessment and plan of treatment specifically stuck out as the practice of medicine. Therefore, they determined that MD Anderson's residents and fellows would be required to obtain a restricted temporary license in order to perform any of the duties listed on the request via telemedicine.

The North Carolina Medical Board has not received this request from MD Anderson. However, their Senior Board Attorney, Todd Brosius, who is in charge of North Carolina's telemedicine rules and regulations provided some insight. Mr. Brosius agreed with Georgia that you could argue the tasks are similar to that of a medical assistant. However, similar to the Mississippi Board, he believes "assessment and plan" falls under the scope of the practice of medicine and the residents and fellows would be required to obtain licensure before conducting a telemedicine visit.

Should the Commission find that these responsibilities classify as the practice of medicine, residents and fellows can practice telemedicine with patients located in Alabama after obtaining a Full Unrestricted license to practice medicine. Should MD Anderson's residents and fellows not yet possess the qualifications necessary to obtain a Full Unrestricted license, they may apply for a Limited license to practice medicine only for the patients under the care of their residency and fellowship programs.

Typically, Limited licensure is obtained by residents and fellows participating in an ACGME or AOA accredited program facilitated by an accredited college of medicine within the State of Alabama. However, 540-X-16(1)(a) of the Alabama Administrative Code states "individuals enrolled in an American Medical Association approved residency training program..." qualify to receive a Limited license for a period of one year. Largely, MD Anderson's post-graduate programs fall into this category and therefore, would make those residents and fellows eligible for Limited licensure.

For Consideration: Do MD Anderson's residents and fellows need to be licensed in order to obtain medical information from patients located in Alabama via telemedicine?

Documents Attached:

- Email correspondence from Mark Armstrong

EXHIBIT E

Alabama Medical Licensure Commission

2024

Medical Licensure Commission
meetings begin at 9:00 a.m. in
Montgomery.

All dates are subject to change.

January						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February						
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25	26	27	28	29		

March						
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31						

April						
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28	29	30				

May						
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June						
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30						

July						
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August						
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September						
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29	30					

October						
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November						
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December						
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Important Dates						
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

MLC Meeting Days

BME Meeting Days

BME/MLC Holiday Schedule

DRAFT



EXHIBIT F

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: September 21, 2023
Re: Administrative Rules Approved for Publication

The Board of Medical Examiners, at its meeting September 21, 2023, approved the following rules to be published for public comment in the *Alabama Administratively Monthly*:

- Administrative Rule 540-X-18-.03.01, *Application for a QACSC (NP)*
- Administrative Rule 540-X-18-.05.01, *Renewal of a QACSC (NP)*

The two proposed rule amendments would add a question to the initial, additional, and renewal applications regarding disciplinary action taken against the applicant.

With an expected publication date of October 31, 2023, the public comment period ends December 5, 2023. The anticipated effective date is February 12, 2024.

Attachments:

Administrative Rule 540-X-18-.03.01, *Application for a QACSC (NP)*
Administrative Rule 540-X-18-.05.01, *Renewal of a QACSC (NP)*

Registration Certificate (QACSC).

An applicant for an initial or additional Qualified Alabama Controlled Substances Certificate shall disclose whether:

(1) Applicant's privilege for prescribing controlled substances has ever been suspended, restricted, voluntarily surrendered while under investigation, revoked, or disciplined in any manner in any state or U.S. territory.

(2) Applicant has ever been convicted of any state or federal crime relating to any controlled substance.

(3) Any Federal Drug Enforcement Administration registration ever held by applicant has ever been suspended, restricted, revoked or voluntarily surrendered while under investigation.

(4) Applicant's privileges at any hospitals have ever been suspended, restricted, revoked, or disciplined in any manner for any reason related to the prescribing or administering of controlled substances.

(5) Applicant is currently engaged in the excessive use of alcohol, controlled substances, or the use of illegal drugs, or receiving any therapy or treatment for alcohol or drug use, sexual boundary issues or mental health issues.

(a) If applicant is an anonymous participant in the Alabama Board of Nursing's Voluntary Disciplinary Alternative Program and is in compliance with their assistance agreement, they may answer "No" to this question. Such answer for this purpose will not be deemed upon certification as providing false information to the Alabama Board of Medical Examiners.

(b) The term “currently” as it is used in paragraph (5) above does not mean on the day of, or even in the weeks or months preceding the completion of the application. Rather, it means recently enough so that the condition referred to may have an ongoing impact on one’s functioning as a Certified Registered Nurse Practitioner or Certified Nurse Midwife within the last two years.

(c) Applicant shall initial certifying an understanding of a statement of the duty as a registrant to address any such condition, which states as follows:

IMPORTANT: The Board recognizes that registrants encounter health conditions, including those involving mental health and substance use disorders, just as their patients and other health care providers do. The Board expects its registrants to address their health concerns and ensure patient safety. Options include anonymously self-referring to the Alabama Board of Nursing’s Voluntary Disciplinary Alternative Program (334-293-5200), an advocacy organization dedicated to improving the health and wellness of nursing professionals in a confidential manner. The failure to adequately address a health condition, where the registrant is unable to practice medicine with reasonable skill and safety to patients, can result in the Board taking action against the QACSC.

(6) Any disciplinary action has been taken or is pending against applicant with the Alabama Board of Nursing or any other licensing authority of any state, territory, or country.

Author: Alabama Board of Medical Examiners

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

History: New Rule Approved October 20, 2022. Certified Rule Filed December 20, 2022. Effective Date February 13, 2023.

Registration Certificate (QACSC) – Required Disclosures.

(1) The applicant shall disclose whether:

(a) Applicant's privilege for dispensing or prescribing controlled substances has ever been suspended, restricted, voluntarily surrendered while under investigation, revoked, or disciplined in any manner in any state or U.S. territory.

(b) Applicant has ever been convicted of any state or federal crime relating to any controlled substance.

(c) Any Federal Drug Enforcement Administration registration ever held by applicant has ever been suspended, restricted, revoked or voluntarily surrendered while under investigation.

(d) Applicant's privileges at any hospitals have ever been suspended, restricted, revoked, or disciplined in any manner for any reason related to the prescribing or dispensing of controlled substances.

(e) Applicant is currently engaged in the excessive use of alcohol, controlled substances, or the use of illegal drugs, or receiving any therapy or treatment for alcohol or drug use, sexual boundary issues or mental health issues.

1. If applicant is an anonymous participant in the Alabama Board of Nursing's Voluntary Disciplinary Alternative Program and is in compliance with their assistance agreement, they may answer "No" to this question. Such answer for this purpose will not be deemed upon certification as providing false information to the Alabama Board of Medical Examiners.

2. The term “currently” as it is used in paragraph (5) above does not mean on the day of, or even in the weeks or months preceding the completion of the application. Rather, it means recently enough so that the condition referred to may have an ongoing impact on one’s functioning as a Certified Registered Nurse Practitioner or Certified Nurse Midwife within the last two years.

3. Applicant shall initial certifying an understanding of a statement of the duty as a registrant to address any such condition, which states as follows:

IMPORTANT: The Board recognizes that registrants encounter health conditions, including those involving mental health and substance use disorders, just as their patients and other health care providers do. The Board expects its registrants to address their health concerns and ensure patient safety. Options include anonymously self-referring to the Alabama Board of Nursing’s Voluntary Disciplinary Alternative Program (334-293-5200), an advocacy organization dedicated to improving the health and wellness of nursing professionals in a confidential manner. The failure to adequately address a health condition, where the registrant is unable to practice medicine with reasonable skill and safety to patients, can result in the Board taking action against the QACSC.

(f) Any disciplinary action has been taken or is pending against applicant with the Alabama Board of Nursing or any other licensing authority of any state, territory, or country.

Author: Alabama Board of Medical Examiners

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

History: New Rule Approved October 20, 2022. Certified Rule Filed December 20, 2022. Effective Date February 13, 2023.



EXHIBIT G

STATE of ALABAMA
MEDICAL LICENSURE COMMISSION

MEMORANDUM

To: Medical Licensure Commission
From: Aaron Dettling, General Counsel
Subject: Proposed Emergency Rule Change of Ala. Admin. Code r. 545-X-2-.08
Date: September 26, 2023

Ala. Admin. Code r. 545-X-2-.08
545-X-2-.08. Temporary Expedited License For Military Members And Spouses.

(1) Upon the filing of a temporary expedited certificate of qualification for military members and spouses by the Alabama State Board of Medical Examiners, along with a properly completed application form ~~and a license processing fee of \$75.00~~, the Medical Licensure Commission of Alabama, after being satisfied that all requirements of the law have been met, that the applicant is of good moral character, and that the applicant should be approved for licensure, shall issue ~~an~~ to an applicant an expedited temporary license to practice medicine in the state of Alabama. Under the circumstances prescribed in this subsection, the Director of Operations of the Medical Licensure Commission of Alabama is authorized to issue an expedited temporary license to practice medicine in the state of Alabama in the absence of a formal meeting and vote of the Commission. There shall be no application or issuance fees for the license provided for in this Rule.

(2) An expedited license for military members and spouses shall be dated and numbered in the order of issuance, shall bear the date of issuance, and shall indicate on its face that the license is a temporary license for military service members and their spouses.

(3) A temporary expedited license for military members and spouses shall expire twelve (12) months after the date of issuance of the license or the expiration of the temporary expedited certificate of qualification for military members and spouses issued by the Alabama State Board of Medical Examiners expires, whichever occurs first.

Author: Alabama Medical Licensure Commission.

Statutory Authority: Code of Ala. 1975, § 34-24-311.

History: New Rule: Published November 30, 2021; effective January 14, 2022. Amended Emergency Rule: Published October __, 2023; Emergency Rule Effective October __, 2023; Permanent Rule Effective _____.

EXHIBIT H

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

MARK PETER KOCH, D.O.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION
OF ALABAMA**

CASE NO. 2012-010

ORDER

This matter is before the Medical Licensure Commission of Alabama on Respondent's request for modification of certain license restrictions set forth in our Order of October 31, 2022. Specifically, Respondent requests: (1) that the requirement for monthly urine screens be relaxed to quarterly tests, and (2) that the requirement for a "lifetime monitoring contract with the Alabama Professionals' Health Program" be changed to a "volunteer contract." The Board opposes these requests.

Upon consideration, Respondent's requests as outlined above are denied.

DONE on this the 29th day of September, 2023.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

**E-SIGNED by Craig Christopher, M.D.
on 2023-09-29 14:14:30 CDT**

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

EXHIBIT I

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

**JENNY SARAH ALEXANDER,
M.D.,**

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2023-256

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 September 11, 2023. The Board and the Respondent, Jenny Sarah Alexander, 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 her rights to an administrative hearing before the Commission, to be represented by an attorney at such hearing, and to further notice and formal adjudication by the Commission of the charges arising from the Administrative Complaint. Respondent has also validly waived any and all rights to judicial review of this Consent Decree pursuant to Ala. Code § 34-24-367, the Alabama Administrative Procedure Act, Ala. Code §§ 41-22-1, *et seq.*, by extraordinary writ, or otherwise.

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

4. **Additional Violations.** Any violation of the requirements of this Consent Decree, or any new violation of state or federal laws or regulations, may result in the Board filing a petition to discipline Respondent's medical license. Nothing in this Consent Decree precludes the Board from bringing new

administrative charges against Respondent based upon events and circumstances not raised in the Administrative Complaint.

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

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

Findings of Fact

1. Respondent has been licensed to practice medicine in the State of Alabama since July 27, 2011, having been issued license no. MD.31609. 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, she would have supporting documents.

3. Respondent earned only 22.50 valid continuing medical education credits during 2022.

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

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

2. That Respondent is ordered to obtain 25 *additional* credits of AMA PRA Category 1™ or equivalent continuing medical education, in addition to the 25 credits already required for calendar year 2023, for a combined total of 50 credits, during calendar year 2023.

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

DONE on this the 29th day of September, 2023.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-09-29 13:21:51 CDT

Craig H. Christopher, M.D.
its Chairman

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

THOMAS H. FUQUA, JR., M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2023-258

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 September 18, 2023. The Board and the Respondent, Thomas H. Fuqua, Jr., 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 Administrative Complaint, the Settlement Agreement, and this Consent Decree shall constitute public records under the laws of the State of Alabama. The Administrative Complaint, the Settlement Agreement, and this Consent Decree may be published or disclosed by the Board and/or the Commission without further notice to Respondent.

4. **Additional Violations.** Any violation of the requirements of this Consent Decree, or any new violation of state or federal laws or regulations, may result in the Board filing a petition to discipline Respondent's medical license. Nothing in this Consent Decree precludes the Board from bringing new

administrative charges against Respondent based upon events and circumstances not raised in the Administrative Complaint.

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

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

Findings of Fact

1. Respondent has been licensed to practice medicine in the State of Alabama since January 1, 2008, having been issued license no. MD.28533. Respondent was so licensed at all relevant times.

2. On or about November 17, 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 17.5 valid continuing medical education credits during 2022.

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 Respondent is assessed an administrative fine in the amount of two thousand dollars (\$2,000.00). In accordance with Ala. Admin. Code r. 545-X-3-.08(8)(d)(i), Respondent is ordered to pay the administrative fine within 30 days of this Order.¹

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

2. That Respondent is ordered to obtain 25 *additional* credits of AMA PRA Category 1™ or equivalent continuing medical education, in addition to the 25 credits already required for calendar year 2023, for a combined total of 50 credits, during calendar year 2023.

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

DONE on this the 29th day of September, 2023.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-09-29 13:23:02 CDT

Craig H. Christopher, M.D.
its Chairman

In re: the matter of

**SEVERIN WINTER GRENOBLE,
M.D.**

**BEFORE THE MEDICAL
LICENSURE COMMISSION
OF ALABAMA**

ORDER

This matter is before the Medical Licensure Commission of Alabama on
Dr. Grenoble's voluntary surrender of his license to practice medicine in Alabama.

The Commission accepts Dr. Grenoble's voluntary surrender.

DONE on this the 29th day of September, 2023.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-09-29 13:23:32 CDT

Craig H. Christopher, M.D.
its Chairman

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

JOANN E. JOHNSON, M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2023-263

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 September 21, 2023. The Board and the Respondent, Joann E. Johnson, 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 her rights to an administrative hearing before the Commission, to be represented by an attorney at such hearing, and to further notice and formal adjudication by the Commission of the charges arising from the Administrative Complaint. Respondent has also validly waived any and all rights to judicial review of this Consent Decree pursuant to Ala. Code § 34-24-367, the Alabama Administrative Procedure Act, Ala. Code §§ 41-22-1, *et seq.*, by extraordinary writ, or otherwise.

3. **Public Documents.** The Administrative Complaint, the Settlement Agreement, and this Consent Decree shall constitute public records under the laws of the State of Alabama. The Administrative Complaint, the Settlement Agreement, and this Consent Decree may 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 September 17, 1980, having been issued license no. MD.4556. Respondent was so licensed at all relevant times.

2. On or about October 12, 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, she would have supporting documents.

3. Respondent earned only 15.0 valid continuing medical education credits during 2022.

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 Respondent is assessed an administrative fine in the amount of two thousand dollars (\$2,000.00). In accordance with Ala. Admin. Code r. 545-X-3-.08(8)(d)(i), Respondent is ordered to pay the administrative fine within 30 days of this Order.¹

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

2. That Respondent is ordered to obtain 25 *additional* credits of AMA PRA Category 1™ or equivalent continuing medical education, in addition to the 25 credits already required for calendar year 2023, for a combined total of 50 credits, during calendar year 2023.

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

DONE on this the 29th day of September, 2023.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-09-29 13:24:19 CDT

Craig H. Christopher, M.D.
its Chairman

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

RICHARD EDWIN JONES, III, M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION
OF ALABAMA**

CASE NO. 2022-318

ORDER SETTING HEARING
For Contested Cases Initiated by Administrative Complaint

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

1. Service of the Administrative Complaint

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

2. 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 Wednesday, February 28, 2024, 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.

3. Appointment of Hearing Officer

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

hearing, having and executing all powers described in Ala. Admin. Code r. 545-X-3-.08(1)(a)-(g).

4. Answer

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

5. Rescheduling/Motions for Continuance

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

6. Case Management Orders

The Hearing Officer is authorized, without further leave of the Commission, to enter such case management orders as he considers appropriate to the particular case. Among any other matters deemed appropriate by the Hearing Officer, the Hearing Officer may enter orders addressing the matters listed in Ala. Admin. Code

r. 545-X-3-.03(5)(a)-(f) and/or 545-X-3-.08(1)(a)-(g). All parties will be expected to comply with such orders.

7. Manner of Filing and Serving Pleadings

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

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

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

8. Discovery

Consistent with the administrative quasi-judicial nature of these proceedings, limited discovery is permitted, under the supervision of the Hearing Officer. *See* Ala. Code § 41-22-12(c); Ala. Admin. Code r. 545-X-3-.04. All parties and attorneys

shall confer in good faith with one another regarding discovery. If disputes regarding discovery are not resolved informally, a motion may be filed with the Hearing Officer, who is authorized to hold such hearings as appropriate and to make appropriate rulings regarding such disputes.

9. Publicity and Confidentiality

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

10. Stipulations

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

11. Judicial Notice

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

12. Settlement Discussions

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

13. Subpoenas

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

14. Hearing Exhibits

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

15. Administrative Costs

The Commission is authorized, pursuant to Ala. Code § 34-24-381(b) and Ala. Admin. Code r. 545-X-3-.08(9) and (10), to assess administrative costs against the Respondent if he or she is found guilty of any of the grounds for discipline set forth in Ala. Code § 34-24-360. The Board of Medical Examiners [X]has / []has not given written notice of its intent to seek imposition of administrative costs in this matter.

16. Appeals

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

DONE on this the 28th day of September, 2023.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-09-28 15:34:01 CDT

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.

GEORGE H. MCKEAN, JR., M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2023-264

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 September 21, 2023. The Board and the Respondent, George H. McKean, Jr., 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 Administrative Complaint, the Settlement Agreement, and this Consent Decree shall constitute public records under the laws of the State of Alabama. The Administrative Complaint, the Settlement Agreement, and this Consent Decree may be published or disclosed by the Board and/or the Commission without further notice to Respondent.

4. **Additional Violations.** Any violation of the requirements of this Consent Decree, or any new violation of state or federal laws or regulations, may result in the Board filing a petition to discipline Respondent's medical license. Nothing in this Consent Decree precludes the Board from bringing new

administrative charges against Respondent based upon events and circumstances not raised in the Administrative Complaint.

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

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

Findings of Fact

1. Respondent has been licensed to practice medicine in the State of Alabama since January 1, 2007, having been issued license no. MD.27825. Respondent was so licensed at all relevant times.

2. On or about November 28, 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 9.0 valid continuing medical education credits during 2022.

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

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

2. That Respondent is ordered to obtain 25 *additional* credits of AMA PRA Category 1™ or equivalent continuing medical education, in addition to the 25 credits already required for calendar year 2023, for a combined total of 50 credits, during calendar year 2023.

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

DONE on this the 29th day of September, 2023.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-09-29 13:25:15 CDT

Craig H. Christopher, M.D.
its Chairman

EXHIBIT O

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

WILLIAM J. SCHULTE, M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2023-267

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 September 18, 2023. The Board and the Respondent, William J. Schulte, 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 Administrative Complaint, the Settlement Agreement, and this Consent Decree shall constitute public records under the laws of the State of Alabama. The Administrative Complaint, the Settlement Agreement, and this Consent Decree may 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 November 19, 1986, having been issued license no. MD.13105. Respondent was so licensed at all relevant times.

2. On or about November 30, 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 13.5 valid continuing medical education credits during 2022.

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 Respondent is assessed an administrative fine in the amount of two thousand dollars (\$2,000.00). In accordance with Ala. Admin. Code r. 545-X-3-.08(8)(d)(i), Respondent is ordered to pay the administrative fine within 30 days of this Order.¹

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

2. That Respondent is ordered to obtain 25 *additional* credits of AMA PRA Category 1™ or equivalent continuing medical education, in addition to the 25 credits already required for calendar year 2023, for a combined total of 50 credits, during calendar year 2023.

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

DONE on this the 29th day of September, 2023.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-09-29 13:26:34 CDT

Craig H. Christopher, M.D.
its Chairman

EXHIBIT P

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

**ALVIN MACON STINSON, III,
M.D.,**

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION
OF ALABAMA**

CASE NO. 2023-116

ORDER

This matter is before the Medical Licensure Commission of Alabama on Respondent's "Motion to Withdraw Without Prejudice." Respondent's withdrawal of his application for reinstatement is noted, and the Administrative Complaint in this matter is dismissed without prejudice.

DONE on this the 29th day of September, 2023.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-09-29 13:18:47 CDT

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

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

MONICA WILLIAMS, M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2023-269

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 September 21, 2023. The Board and the Respondent, Monica Williams, 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 her rights to an administrative hearing before the Commission, to be represented by an attorney at such hearing, and to further notice and formal adjudication by the Commission of the charges arising from the Administrative Complaint. Respondent has also validly waived any and all rights to judicial review of this Consent Decree pursuant to Ala. Code § 34-24-367, the Alabama Administrative Procedure Act, Ala. Code §§ 41-22-1, *et seq.*, by extraordinary writ, or otherwise.

3. **Public Documents.** The Administrative Complaint, the Settlement Agreement, and this Consent Decree shall constitute public records under the laws of the State of Alabama. The Administrative Complaint, the Settlement Agreement, and this Consent Decree may 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 April 21, 2004, having been issued license no. MD.26002. Respondent was so licensed at all relevant times.

2. On or about November 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, she would have supporting documents.

3. Respondent earned only 16.0 valid continuing medical education credits during 2022.

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 Respondent is assessed an administrative fine in the amount of two thousand dollars (\$2,000.00). In accordance with Ala. Admin. Code r. 545-X-3-.08(8)(d)(i), Respondent is ordered to pay the administrative fine within 30 days of this Order.¹

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

2. That Respondent is ordered to obtain 25 *additional* credits of AMA PRA Category 1™ or equivalent continuing medical education, in addition to the 25 credits already required for calendar year 2023, for a combined total of 50 credits, during calendar year 2023.

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

DONE on this the 29th day of September, 2023.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-09-29 13:27:18 CDT

Craig H. Christopher, M.D.
its Chairman

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

BRIAN MOFFAT WOOD, M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2023-270

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 September 21, 2023. The Board and the Respondent, Brian Moffat Wood, 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 Administrative Complaint, the Settlement Agreement, and this Consent Decree shall constitute public records under the laws of the State of Alabama. The Administrative Complaint, the Settlement Agreement, and this Consent Decree may 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 September 25, 2002, having been issued license no. MD.24918. Respondent was so licensed at all relevant times.

2. On or about October 14, 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 20.0 valid continuing medical education credits during 2022.

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

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

2. That Respondent is ordered to obtain 25 *additional* credits of AMA PRA Category 1™ or equivalent continuing medical education, in addition to the 25 credits already required for calendar year 2023, for a combined total of 50 credits, during calendar year 2023.

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

DONE on this the 29th day of September, 2023.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-09-29 13:28:02 CDT

Craig H. Christopher, M.D.
its Chairman

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

v.

**JOHN MCKENZIE
HENDERSON, D.O.,**

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2021-112

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter came before the Medical Licensure Commission of Alabama for a contested case hearing on September 27, 2023. After receiving and considering all of the relevant evidence and argument, we find the Respondent, John McKenzie Henderson, D.O., 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 John McKenzie Henderson, D.O. (hereinafter "Respondent"). Respondent was first licensed by the Commission on April 27, 1994, having been issued license no. DO.380. The disciplinary charges in this case arise out of Respondent's alleged sexual misconduct in the practice of medicine between 2006 and 2010.

II. Procedural History

On September 23, 2021, the Alabama Board of Medical Examiners filed an Administrative Complaint (the “Administrative Complaint”) seeking the imposition of discipline on Respondent’s license to practice medicine in Alabama. The Administrative Complaint contains two counts.

Count One seeks to impose reciprocal discipline on the basis of a final order of discipline entered by the Georgia Composite Medical Board, as prescribed in Ala. Code § 34-24-360(15). In Count Two, the Board alleges that Respondent engaged in “unprofessional conduct”—specifically, sexual misconduct in the practice of medicine—in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-X-4-.06(17) and -.07.

The hearing in this matter was initially set for January 26, 2022. With the agreement of the Board and Respondent, we postponed this matter for a considerable period of time to allow for the resolution of disciplinary proceedings before the Georgia Composite Medical Board.

On September 27, 2023, we conducted a full evidentiary hearing as prescribed in Ala. Admin. Code r. 545-X-3. The case supporting the disciplinary charges was presented by the Alabama Board of Medical Examiners through its attorneys E. Wilson Hunter and Alicia Harrison. Respondent was represented by Luther M. “Rusty” Dorr, Jr. 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. 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

1. On or about April 27, 1994, Respondent was issued license number DO.380, authorizing him to practice medicine in the State of Alabama.

2. Respondent is also licensed to practice medicine in Georgia. He owns and operates Dr. John M. Henderson DO PC, which does business as Henderson Family Practice, in Columbus, Georgia.

3. According to a Public Consent Order entered by and between the Georgia Composite Medical Board ("the Georgia Board") and Respondent dated February 5, 2021, the Georgia Board received information in December of 2019

¹ Findings of Fact Nos. 1 through 18, in substance, are stipulated to by the Board and Respondent.

that Respondent had allegedly engaged in an intimate relationship with a patient ("Patient 1") from 2006 to 2010.

4. The Board submits that on December 17, 2019, "Patient 1" filed a complaint with the Georgia Board and alleged that she and Respondent had a sexual relationship while she was his patient. "Patient 1" also alleged that Respondent prescribed medications to her during the relationship. Respondent is not aware of the specific complaint made to the Georgia Board.

5. Respondent served as a physician to "Patient 1" and her husband when Respondent worked at the Hughston Clinic in Columbus, Georgia. In 2004, Respondent left the Hughston Clinic and established Henderson Family Practice.

6. "Patient 1" moved in with Respondent in 2004 or 2005. Respondent admits that he did not terminate the physician-patient relationship in writing prior to the initiation of the sexual relationship with "Patient 1." Respondent admits that he engaged in a sexual relationship with "Patient 1" while she was his patient, and that he prescribed medications, including Adderall and Xanax, to "Patient 1" during their relationship.

7. The sexual relationship between "Patient 1" and Respondent ended some time in 2010 or 2011.

8. In December 2019, Respondent became engaged to another woman. Respondent contends that when "Patient 1" learned of the engagement, she became angry and filed a complaint with the Georgia Board.

9. On or about January 16, 2020, a Georgia Composite Medical Board investigator interviewed Respondent. Respondent admitted that "Patient 1" was his patient at the time that their romantic relationship began.

10. The Georgia Board directed Respondent to undergo a mental/physical examination from an approved provider. After the examination, the following recommendations were made: "that Respondent attend courses in professional boundaries and appropriate prescribing, that Respondent engage in treatment with an individual therapist, and that Respondent have a chaperone present during the entirety of all medical contact with female patients."

11. On February 5, 2021, the Georgia Composite Medical Board entered a Public Consent Order placing Respondent's medical license on probation. The Georgia Board subjected Respondent's medical license to the following terms and conditions:

- a) That Respondent participate in a program of psychotherapy approved by the Georgia Board which shall include work on maintaining boundaries with patients;
- b) That Respondent enroll in and complete courses approved by the Georgia Board in the area of maintaining professional boundaries and appropriate prescribing practices;

- c) That Respondent have a chaperone present during the entirety of all medical visits with all female patients, and document the chaperone's presence in the medical record;
- d) That Respondent be subject to further physical or mental evaluations by a physician designated by the Board; and
- e) That Respondent provide a copy of the Consent Order to all reporting individuals.

12. Respondent completed all of the requirements imposed by the Georgia Board.

13. On or about March 15, 2021, the Alabama Board of Medical Examiners received notification from the Federation of State Medical Boards Physician Data Center of the action taken on Respondent's license by the Georgia Board.

14. On September 23, 2021, the Alabama Board of Medical Examiners filed its Administrative Complaint; on November 3, 2021, Respondent filed a written response to the Administrative Complaint.

15. On November 7, 2021, Respondent submitted materials to the Alabama Board as proof of his compliance with the Georgia Board's Order. According to documentation submitted to the Alabama Board, Respondent had completed the following:

- a. An initial evaluation by the Atlanta Psychiatric Consultation Center, which served as the basis for the remedial action outlined in the Public Consent Order;

- b. Participation in the PBI Professional Boundaries and Ethics Course on March 19-21, 2021;
- c. Participation in the PBI Prescribing Course: Opioids, Pain Management and Addiction on April 17-18, 2021;
- d. Individual therapy, to include work on maintaining boundaries with patients, at The Pastoral Institute in Columbus, GA, with quarterly reports dated March 31, 2021, June 30, 2021, September 30, 2021, and December 31, 2021;
- e. A follow-up evaluation by the Atlanta Psychiatric Consultation Center on October 4-5, 2021; and
- f. Documentation of use of a chaperone as directed by the Georgia Board.

16. Respondent's November 7, 2021 submission to the Alabama Board also included a description of his practice in Alabama. Respondent regularly treats patients from Lee, Russell, and Barbour counties. He has privileges at Columbus Specialty Hospital, a long-term acute-care hospital, and receives patients from several Alabama hospitals, including Nolan Hospital in Dothan, East Alabama Medical Center in Opelika, the University of Alabama at Birmingham, Flowers Hospital in Dothan, Barbour Medical Center in Eufaula, and Southeast Alabama Medical Center in Dothan. He also sits on the medical staffs of Phenix regional Rehabilitation Hospital and Jack C. Hughston Memorial Hospital, both in Phenix City, Alabama. Additionally, he has taught medical and nursing students from the Edward Via College of Osteopathic Medicine in Auburn, Chattahoochee Valley

Community College in Phenix City, and Southern Union State Community College in Opelika, and has served as the team physician for Tuskegee University.

17. On September 6, 2022, the Georgia Board entered a Public Board Order Terminating Probation. The Georgia Board determined that Respondent had complied with all terms and conditions of the Public Consent Order. The Georgia Board terminated the probation of Respondent's license to practice medicine and restored Respondent's Georgia medical license to full and unrestricted status.

18. Respondent admits the violations alleged in Count One and Count Two of the Administrative Complaint.

19. Respondent appeared in person and testified before the Commission. Respondent, through his testimony and actions, has demonstrated insight into and remorse for his past actions, and has embraced and completed remedial actions as prescribed by the Georgia Board. As a result, based on all of the facts and circumstances, a recurrence of Respondent's past actions appears to be unlikely.

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. An Alabama physician may be disciplined if, after notice and hearing, he or she is found to be subject to “[a]ny disciplinary action taken by another state . . . based upon acts by the licensee similar to acts” that can form the basis of professional discipline in Alabama. Ala. Code § 34-24-360(15).

4. 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 engage in “sexual misconduct in the practice of medicine.” Ala.

Admin. Code r. 545-X-4-.06(17). The principles animating the prohibition of sexual contact between physicians and patients are explained in detail in Sexual Misconduct In The Practice Of Medicine: A Joint Statement Of Policy And Guidelines By The State Board Of Medical Examiners And The Medical Licensure Commission. See Ala. Admin. Code r. 545-X-4-.07; 540-X-9-.08.²

5. The facts as found above lead us to conclude that Respondent had disciplinary action taken against him in another state in transgression of Ala. Code § 34-24-360(15), and that Respondent did commit unprofessional conduct in transgression of Ala. Code § 34-24-360(2).

V. Decision

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

1. That the Respondent, John McKenzie Henderson, D.O., is adjudged **GUILTY** of being subject to disciplinary action in another state in violation of Ala. Code § 34-24-360(15), as charged in Count One of the Administrative Complaint.

² See <https://admincode.legislature.state.al.us/administrative-code/545-X-4-.07>; <https://admincode.legislature.state.al.us/administrative-code/540-X-9-.08>.

2. That the Respondent, John McKenzie Henderson, D.O., is adjudged **GUILTY** of unprofessional conduct in violation of Ala. Code § 34-24-360(2), as charged in Count Two of the Administrative Complaint.

3. That, separately and severally for each of Counts One and Two, Respondent's license to practice medicine in the State of Alabama is **REPRIMANDED**.

4. That Respondent shall, within 30 days of this Order,³ pay an administrative fine in the amount of \$2,500.00 as to Count One, and \$2,500.00 as to Count Two, for a total administrative fine of \$5,000.00.

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

DONE on this the 3rd day of October, 2023.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Craig Christopher, M.D.
on 2023-10-03 08:04:57 CDT

Craig H. Christopher, M.D.
its Chairman

³ 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).