

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

May 27, 2026

MEMBERS PRESENT IN PERSON

Jorge Alsip, M.D., Chairman
Kenneth W. Aldridge, M.D., Vice-Chairman
Craig H. Christopher, M.D.
Howard J. Falgout, M.D.
Nina Nelson-Garrett, M.D.
James R. Seale, Esq.
Pamela Varner, M.D.

MEMBERS NOT PRESENT

MLC STAFF

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

BME STAFF

Buddy Chavez, Investigator
Anthony Crenshaw, Investigator
Becky Daniels, Investigator
Amy Dorminey, Director of Operations
Greg Hardy, Investigator
Alicia Harrison, Associate General Counsel
Chris Hart, Technology
Wilson Hunter, General Counsel
Roland Johnson, Physician Monitoring
Sally Knight, Physician Monitoring
Tiffany Seamon, Director of Credentialing

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

OLD BUSINESS

Minutes April 22, 2026

Commissioner Christopher made a motion that the Minutes of April 22, 2026, be approved. A second was made by Commissioner Seale. The motion was approved by unanimous vote.

NEW BUSINESS

Full License Applicants

<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>
1. Shahed Majed Ahmad Abusharar	Jordan University of Science & Technology	USLME
2. Ammar Ahmed	St. George's University School of Medicine	USMLE/MI
3. Sidney Nnamdi Akabogu	University of Texas Health Science Center at San Antonio	USMLE
4. Chizoba Ogechi Akunwanne	Philadelphia College of Osteopathic Medicine	COMLEX
5. Mustafa M Ali M Al Shaikhli	University of Jordan	USMLE
6. Hibah Ali	Touro University College of Osteopathic Medicine	COMLEX/NY
7. Trevan Davis Anderson	Alabama College of Osteopathic Medicine	COMLEX/MS
8. Nikki Lentini Arceneaux	Louisiana State University Medical Center in Shreveport	USMLE
9. Htun Min Aung	University of Medicine 1	USMLE/NY
10. Emily Austin	University of Alabama School of Medicine Birmingham	USMLE
11. Hannah Whitlock Austin	University of Mississippi School of Medicine	USMLE
12. Felicita Ermelinda Baratelli	University of Pavia	USMLE/CA
13. Naman Bareja	Maulana Azad Medical College, University of Delhi	USMLE/MO
14. Ovgu Barut	Ponce School of Medicine	USMLE
15. Derek Russell Bass	Edward Via College of Osteopathic Medicine Auburn	COMLEX
16. Nicholas Steadman Bates	University of South Alabama College of Medicine	USMLE/CA
17. Vinaya S Belagode	Kempegowda Institute of Medical Sciences	FLEX/MI
18. Tatiana Belousova	Kyrgyz Russian Slavic University	USMLE/CA
19. Stephano Sebastian Bonitto	George Washington Univ School of Med and Health Sciences	USMLE
20. James Christian Michael Brown	Warren Alpert Medical School of Brown University	USMLE/OH
21. Zachary Andrew Burger	Philadelphia College of Osteopathic Medicine	COMLEX
22. Paul Reha Butros	Baskent University Faculty of Medicine	USMLE/MI
23. Charisse Donnell Carter	Edward Via Virginia College of Osteopathic Medicine	COMLEX/VA
24. Raymond Manuel Catton	Louisiana State University School of Medicine New Orleans	USMLE/MA
25. Shawn Rishi Chakraborty	Alabama College of Osteopathic Medicine	COMLEX
26. Grant Logan Collins	University of Arizona	USMLE
27. Lauren Bethahny Conway	St. George's University School of Medicine	USMLE



Full License Applicants

<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>
28. Ryder Lane Costa	Alabama College of Osteopathic Medicine	COMLEX
29. Adam Gregory de la Garza	Wake Forest University	USMLE/IA
30. Sapna Vinod Desai	Texas A&M College of Medicine	USMLE/IL
31. Jesse Scott Dew	Edward Via Virginia College of Osteopathic Medicine	COMLEX/PA
32. Christiana Chinyere Ekezie	Abia State University	USMLE/WI
33. Chantale Jean El Alam	University of Balamand	USMLE/PA
34. Dylan Howard Elder	Edward Via College of Osteopathic Medicine Auburn	COMLEX/FL
35. Paola Carolina Espin Diaz	International U of Ecuador Faculty of Med and Health Sciences	USMLE
36. Christopher Allen Evers	University of South Alabama College of Medicine	USMLE/TN
37. Kevin James Farquharson	Wayne State University School of Medicine	USMLE/FL
38. Osiris A Fernandez Betances	Pontifical Catholic University Santiago	USMLE
39. Zachary Ryan Fortenbery	Lincoln Memorial Univ Debusk College of Osteopathic Med	COMLEX/KY
40. Carson Jared Foster	University of Alabama School of Medicine Birmingham	USMLE
41. William Jacob Freeman	University of Alabama School of Medicine Birmingham	USMLE
42. Easton Mitchell Scott Fuller	Edward Via College of Osteopathic Medicine Auburn	COMLEX/OK
43. Ayomide Gbenle	Ross University School of Medicine	USMLE
44. Jeffry Travis Gee	Marshall University School of Medicine	USMLE/SC
45. Manisha Goel	Mahatma Gandhi Institute of Med Sciences, Nagpur University	USMLE/IL
46. Brianna Christine Goodison	University of Arizona College of Medicine Tucson	USMLE
47. John Baker Hammond	University of Tennessee College of Medicine (Memphis)	USMLE
48. Clare Arnot Hawkins	University of Manitoba Faculty of Medicine	FLEX/TX
49. Stephanie Joy Hermann	Chicago College of Osteopathic Medicine	COMLEX
50. Andrew Ryan Hopkins	University of Mississippi School of Medicine	USMLE
51. Lulin Hu	Hubei College Of Traditional Chinese Medicine	USMLE/MO
52. Jack Hua	University of Texas Houston Medical School	USMLE/TX
53. Tevin Jermez Hughley	Kansas City University of Medicine and Biosciences	COMLEX
54. Kala Simone Hurst	Philadelphia College of Osteopathic Medicine	COMLEX/OH
55. Samuel Booth Hutcheson	University of South Alabama College of Medicine	USMLE/TN
56. Shireen Mary Jacob	Christian Medical College, Vellore	USMLE
57. Dylan Lee Kahler	University of Pittsburgh School of Medicine	USMLE
58. Corinne Mary Karch	Virginia Commonwealth University School of Medicine	USMLE/SC
59. Alexis Leonora Holt Kentros	University of South Alabama College of Medicine	USMLE
60. Zain Yar Khan	Aga Khan Medical College, Aga Khan University	USMLE/OK
61. Justin Rakim King	Meharry Medical College School of Medicine	USMLE/TN
62. Ezra Yujin Koh	The University of Amsterdam Faculty of Medicine	USMLE/TX
63. Joel Gabin Konlack Mekontso	Univ of Yaounde Faculty of Medicine	USMLE
64. Esha Shrikant Kothekar	Shri Vasanttrao Naik Government Medical College	USMLE
65. Samantha Paige Kultgen	University of Wisconsin Medical School	USMLE/WI
66. Sanjay Kumar	Dow Medical College, University of Karachi	USMLE
67. Harold Brooks Lampkin	University of South Alabama College of Medicine	USMLE
68. Justin David Leavitt	University of Utah School of Medicine	USMLE
69. Robert Jonathan Leonard	Texas A&M Univ Health Science Center College of Medicine	USMLE/OH
70. Michael Adam Love	Midwestern University, Arizona Campus	COMLEX/TN



Full License Applicants

<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>
71. Harold Newton Lovvorn, III	University of Tennessee Program	NBME/PA
72. Alexandria Lushaj	Edward Via College of Osteopathic Medicine, Carolinas Campus	COMLEX/PA
73. Sean Mackey	Midwestern University, Arizona Campus	COMLEX
74. Austin Taylor Martindale	University of Alabama School of Medicine Birmingham	USMLE/TN
75. Christopher Kombod McCullers	University of Alabama School of Medicine Birmingham	USMLE
76. Brandon Edward Miller	East Tennessee State University	USMLE
77. Nathaniel Timothy Minigh	American University of the Caribbean	USMLE/FL
78. Aimee Champagne Minko	Mercer University School of Medicine	USMLE/TN
79. Shivani Kamleshkumar Modi	American International School of Medicine	USMLE
80. John Richard Moesch	Philadelphia College of Osteopathic Medicine Georgia Campus	COMLEX/PA
81. Ana Naumescu Newton	University of Alabama School of Medicine Birmingham	USMLE/CT
82. Kelly Nguyen	FIU Herbert Wertheim College of Medicine	USMLE/FL
83. Ayah Azzam Abdulraheem Obeid	Hashemite University Faculty of Medicine	USMLE
84. Millicent Adeola Olawale	Tulane University School of Medicine	USMLE/WA
85. Chukwuemeka V De Paul Onyilo	Augusta University	USMLE
86. Carson Parker Panovec	University of Tennessee College of Medicine Memphis	USMLE/LA
87. Kara Ami Parikh	Louisiana State University School of Medicine New Orleans	USMLE/OH
88. Aakash C Patel	Medical University of the Americas Nevis	USMLE/FL
89. Arjun Nicholas Patel	Brody School of Medicine at East Carolina University	USMLE
90. Kushkumar Mahendrabhai Patel	University of Alabama School of Medicine Birmingham	USMLE/IL
91. Neel Balmukund Patel	University of North Texas Health Science Center	COMLEX
92. Nhu-Y Phan	Pennsylvania State University College of Medicine	USMLE
93. Hien John Piotrowski	University of Texas Southwestern Medical Center at Dallas	USMLE/MS
94. Faith Abigail Bowen Pittard	Edward Via College of Osteopathic Medicine, Carolinas Campus	COMLEX
95. Joseph Coker Pongetti	University of Mississippi School of Medicine	USMLE/MS
96. Prateek Avinash Pophali	Government Medical College, Nagpur University	USMLE/RI
97. Brittany Rebecca Hinten Pruett	University of Alabama School of Medicine Birmingham	USMLE
98. Imtiaz Lewis Qureshi	Aga Khan Medical College, Aga Khan University	USMLE/CT
99. Daniel Duray Raley	East TN State Univ James H Quillen College of Medicine	USMLE/TN
100. Tyeler Seth Rayburn	University of South Alabama	USMLE
101. Kelly Lynn Reed	Kansas City University of Medicine and Biosciences	COMLEX/MI
102. Andrew Richard Rice	University of Cincinnati College of Medicine	USMLE/FL
103. Trey Howard Richardson	University of Alabama School of Medicine Birmingham	USMLE
104. Teviah Erik Sachs	New York Medical College	USMLE/MA
105. Sikandar Saeed	Shifa College of Medicine	USMLE
106. David Robert Salchert	University of South Alabama College of Medicine	USMLE
107. Joshua Sethi	Tulane University School of Medicine	USMLE/AZ
108. Tatyana Yurievna Sklyar	Russian State Medical University	USMLE/PA
109. Jordan Matthews Smith	University of South Alabama College of Medicine	USMLE
110. Sierra Smith	Edward Via Virginia College of Osteopathic Medicine	COMLEX
111. Jimmy Sojan	New York Institute of Tech College of Osteopathic Medicine	COMLEX
112. Silvana Heather Spertus	New York Institute of Tech College of Osteopathic Medicine	COMLEX/FL
113. Hayley Kathryn Standage	Oregon Health and Science University School of Medicine	USMLE




Full License Applicants

<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>
114.Kelly Lee Staricha	Medical College of Wisconsin	USMLE/MN
115.Karl Raymond Swinson	Uniformed Services Univ of the Health Sciences	USMLE/NE
116.Nupur Ajit Tamhane	B.J. Government Medical College, Pune	USMLE
117.Golbarg Tarighat Saber	Tehran University of Medicine Sciences	USMLE/IL
118.Aye Mon Thida	University of Medicine I	USMLE/NY
119.John Thomas Tolomeo	University of South Alabama College of Medicine	USMLE/OK
120.Vishwajit J Tuchscherer	Ross University School of Medicine	USMLE/CA
121.Chiamaka Theclar Umah	University of Lagos	USMLE
122.Anji Elizabeth Wall	Saint Louis University School of Medicine	USMLE/TN
123.Blair Madison Warren	Alabama College of Osteopathic Medicine	COMLEX/NE
124.Eric Francis Weber	Tufts University School of Medicine	USMLE/NJ
125.Kelby Wayne Wegner	Alabama College of Osteopathic Medicine	COMLEX
126.Bronson Clay Wessinger	Vanderbilt University School of Medicine	USMLE/KY
127.Colin Daniel Westman	Chicago College of Osteopathic Medicine	COMLEX/IL
128.Stephen Chang-Oh Yang	University of California San Francisco	USMLE/CA
129.Angel I Yap	American University of the Caribbean School of Medicine	USMLE/MN
130.*Charles B Arbogast	Kansas City University of Medicine and Biosciences	COMLEX/HI
131.Jason L Brown	Augusta University	USMLE
132.*Elizabeth S Chandler	Edward Via College of Osteopathic Medicine Auburn	COMLEX/GA
133.*Ryan M Falcone	Tulane University School of Medicine	USMLE/LA
134.Jeffrey Farrington	University of Mississippi School of Medicine	USMLE/GA
135.Tamara S Greene	Saint Louis University School of Medicine	USMLE/TX
136.*Yves Michel Jodesty	New York Medical College	USMLE/CA
137.Nesreen H Kaufman	St. George's University School of Medicine	USMLE/TN
138.*Pardeep Kumari	Government Medical College Patiala	USMLE/DC
139.Stephen J MacDade	Wake Forest University School of Medicine	USMLE/GA
140.Matthews S Markert	University of Miami Miller School of Medicine	USMLE/MO
141.*Loren Nunley	Howard University College of Medicine	USMLE/WI
142.*Sovan L Powell	SUNY Upstate Medical University	USMLE/NY
143.*Gilbert M Simas	St. Matthew's University	USMLE/WA
144.*Jeffrey R Toll	Jefferson Medical College of Thomas Jefferson Univ	USMLE/CA
145.James L West	FIU Herbert Wertheim College of Medicine	USMLE/CA

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

A motion was made by Commissioner Aldridge with a second by Commissioner Nelson-Garrett to approve applicant numbers one through one hundred and forty-five (1-145) for full licensure. The motion was approved by unanimous vote.



Limited License Applicants

	<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>	<u>Location</u>	<u>License</u>
1.	Mahmoud Abd Alnaeem	Minia University, Egypt	LL/AL	Mobile Infirmiry IM	R
2.	Shushrusha Adhikari	Kathmandu Medical College	LL/AL	Southeast Health IM	R
3.	Jospeh M Al-Kirwi	Nova Southeastern C of Osteo Med	LL/AL	Southeast Health Trans Year	R
4.	Aseel Basil Alshaer	Int'l U of Africa Faculty of Med & Sci	LL/AL	Southeast Health IM	R
5.	Kelly Elizabeth Blacksher	USA	LL/AL	USA Emergency Medicine	R
6.	Ginette Bordocho De Martino	Catholic Univ of Cordoba	LL/AL	Cahaba UAB FM	R
7.	Meghana Chilukuri	Mamata Medical College	LL/AL	Mobile Infirmiry IM	R
8.	Caroline Heacock Clutton	University of South Alabama	LL/AL	USA Psychiatry	R
9.	Tamara Daneeshia Cox	Ross University	LL/AL	Cahaba UAB FM	R
10.	Andrew Michael Daniel	Ponce School of Medicine	LL/AL	Cahaba-UAB FM	R
11.	Amber Datta	Lincoln Mem U Debusk C of Osteo Med	LL/AL	USA Emergency Medicine	R
12.	Anna Diamante	St Petersburg State U Faculty of Med	LL/AL	NAMC Florence IM	R
13.	Aurielle L Fowler	University of Mississippi	LL/AL	UAB Cahaba FM	R
14.	Meredith Schuckert Fowler	Lincoln Mem U Debusk C of Osteo Med	LL/AL	UAB Cahaba FM	R
15.	Ragini Gopagoni	Malla Reddy Institute of Med Sciences	LL/AL	Southeast Health IM	R
16.	Breyanah Michelle Graham	LSU Health Sciences Center	LL/AL	Cahaba UAB FM	R
17.	Megha Shashidhar Handral	Rajiv Gandhi U of Health Sciences	LL/AL	Mobile Infirmiry IM	R
18.	Harleen Kaur	Sri Guru Ram Das Inst of Med Science	LL/AL	Southeast Health IM	R
19.	Okan Veli Kilic	U of Health Sci Gulhane Med Faculty	LL/AL	USA Pathology	R
20.	Blair Kizza	Gulu University Faculty of Medicine	LL/AL	UAB Cahaba FM	R
21.	Luyuan Li	Shandong Medical University	LL/AL	NAMC IM	R
22.	Blair Anthony Lombardo	LSU Shreveport	LL/AL	USA IM	R
23.	Scott Joseph Lombardo	St Georges University of London	LL/AL	UA FM	R
24.	Bassem E M Mahmoud	Cairo University Faculty of Medicine	LL/AL	USA Pathology	R
25.	Hamza Malik	Foundation University Medical College	LL/AL	Southeast Health IM	R
26.	Kinza Amar Maqsood	University of Health Sciences Lahore	LL/AL	Southeast Health IM	R
27.	Annet Mary Mathew	Kerala University of Health Sciences	LL/AL	Southeast Health IM	R
28.	Nabil Merchant	Royal College of Surgeons in Ireland	LL/AL	East Alabama IM	R
29.	Taylor Leigh Murray	Edward Via C of Osteo Med Auburn	LL/AL	USA IM	R
30.	Izzah Nayyab	University of Health Sciences Lahore	LL/AL	Southeast Health IM	R
31.	Brian Thien Nguyen	University of South Alabama	LL/AL	USA IM	R
32.	Muhammad Abdullah Noor	University of Health Sciences Lahore	LL/AL	Southeast Health IM	R
33.	Sirwa Padash	Kurdistan University of Medical Science	LL/AL	Southeast Health Trans Year	R
34.	Priya Umeshkumar Patel	Lincoln Mem U Debusk C of Osteo Med	LL/AL	UAB Cahaba FM	R
35.	Madison Ann Poiroux	University of South Alabama	LL/AL	USA OB/GYN	R
36.	Fnu Rakesh	Ghulam M Mahar Medical College	LL/AL	Mobile Infirmiry IM	R
37.	Yasir Rashid	Rai Medical College	LL/AL	Southeast Health IM	R
38.	Mian Muhammad Rehman	CMH Lahore Medical College	LL/AL	UAB Montgomery IM	R
39.	Amir Rizk	American University of the Caribbean	LL/AL	Southeast Health Trans Year	R
40.	Sachary Rosado Caraballo	Autonomous Univ of Guadalajara	LL/AL	Southeast Health	R
41.	Trevor Vincent Ruff	St Georges University of London	LL/AL	USA Diagnostic Radiology	R
42.	Hauwa Shafii	Ahmadu Bello University	LL/AL	UAB Cahaba Psychiatry	R
43.	Nishan Tiwari	Tribhuvan University	LL/AL	Southeast Health Trans Year	R



44.	De'Anna G Joanna Trunnell	American University of Antigua	LL/AL	UA FM	R
45.	Archana Meera Varman	St. George's U School of Med, Grenada	LL/AL	Mobile Infirmary Gen Surg	R
46.	Mohammad Waqas	University of South Alabama	LL/AL	USA Psychiatry	R
47.	Athena Zhang	University of Texas	LL/AL	Southeast Health IM	R
48.	Ramya Gnanaraj	Madras Medical College	LL/AL	UAB Dept of Ophthalmology	R
49.	Muhammad Muneeb	King Edward Medical Univ	LL/AL	UAB Cardiology	R
50.	Adriana M Sasaki	Sao Paulo State University	LL/AL	UAB Dept of Ophthalmology	R

A motion was made by Commissioner Aldridge with a second by Commissioner Nelson-Garrett to approve applicant numbers one through fifty (1-50) for limited licensure. The motion was approved by unanimous vote.

IMLCC Report

The Commission received as information a report of the licenses that were issued via the Interstate Medical Licensure Compact from April 1, 2026, through April 30, 2026. A copy of this report is attached as Exhibit "A".

APPLICANTS FOR REVIEW

Luc Jasmin, M.D.

A motion was made by Commissioner Christopher with a second by Commissioner Nelson-Garrett to approve Dr. Jasmin's application for full licensure. The motion was approved by unanimous vote.

Ketrick L. LaCoste, M.D.

A motion was made by Commissioner Christopher with a second by Commissioner Aldridge to approve Dr. LaCoste's application for full licensure. Commission Chairman Alsip recused from and did not participate in any deliberation, decision, or voting in this matter. The motion was approved by unanimous vote.

Colleen F. Lail, M.D.

A motion was made by Commissioner Nelson-Garrett with a second by Commissioner Christopher to approve Dr. Lail's application for full licensure. The motion was approved by unanimous vote.



Nathan A. Stokes, M.D.

A motion was made by Commissioner Christopher with a second by Commissioner Aldridge to defer any action on Dr. Stokes' application for licensure until the June 24, 2026 Commission meeting. The motion was approved by unanimous vote

Michael J. Templer, M.D.

A motion was made by Commissioner Christopher with a second by Commissioner Nelson-Garrett to authorize the chairman to approve the application for licensure pending further information. The motion was approved by unanimous vote

REPORTS

Physician Monitoring Report

The Commission received as information the physician monitoring report dated May 22, 2026. A copy of the report is attached as Exhibit "B".

Kenenth Roberts, M.D.

The Commission received a report on Dr. Roberts' quarterly compliance. A motion was made by Commissioner Christopher with a second by Commissioner Aldridge to refer this matter to the Alabama State Board of Medical Examiners Investigations for further review. The motion was approved by unanimous vote.

DISCUSSION ITEMS

Administrative Rule Revision – Adoption and Public Comment

The Commission received comments submitted by the public regarding proposed administrative rule changes to Alabama Administrative Rules 545-X-4-.06, 545-X-4-.10, 545-X-3-.03, and 545-X-3-.08. A motion was made by Commissioner Christopher with a second by Commission Nelson-Garrett to defer consideration to the June 24, 2026 meeting. The motion was approved by unanimous vote. A copy of the report is attached as Exhibit "C".

FSMB Annual Meeting Update

The Commission received as information the Federation of State Medical Boards Annual Meeting Update.



2026 BME/MLC Educational Workshop

The Commission received as information preliminary details of the 2026 Board of Medical Examiners/ Medical Licensure Commission Educational Workshop.

BME Administrative Rule for Publication: 540-X-1-.03, Meetings of Board

The Commission received as information the BME Administrative Rule for Publication: 540-X-1-.03, Meetings of Board Memorandum. A copy of the memo is attached hereto as Exhibit "D".

BME Administrative Rule for Publication: 540-X-1-.04, Executive Director

The Commission received as information the BME Administrative Rule for Publication: 540-X-1-.04, Executive Director Memorandum. A copy of the memo is attached hereto as Exhibit "E".

BME Administrative Rule for Publication: 540-X-1-.20, Credentials Committee

The Commission received as information the BME Administrative Rule for Publication: 540-X-1-.20, Credentials Committee Memorandum. A copy of the memo is attached hereto as Exhibit "F".

James C. Dilday, M.D.

The Commission received as information an update from Aaron Dettling, General Counsel, regarding the appeal filed by James C. Dilday, M.D., in the Alabama Court of Civil Appeals. A copy of the notice is attached hereto as Exhibit "G".

Steven M. Hayden, M.D.

The Commission considered a request for Limited Supplementation/Correction of Administrative Record filed by Dr. Hayden. A motion was made by Commissioner Christopher with a second by Commissioner Falgout to deny Dr. Hayden's request. The motion was approved by unanimous vote. Commissioner Seale recused from and did not participate in any deliberation, decision, or voting in this matter. A copy of the Commission's order is attached hereto as Exhibit "H".

Brian E. Richardson, M.D.

The Commission received as information an update from Aaron Dettling, General Counsel, regarding the appeal filed by Brian E. Richardson, M.D., in the Alabama Court of Civil Appeals. A copy of the notice is attached hereto as Exhibit "I".



ADMINISTRATIVE FILINGS

Richard E. Jones, III, M.D.

The Commission considered a request filed by Dr. Jones to lift the restrictions placed on his Alabama medical license. A motion was made by Commissioner Christopher with a second by Commissioner Nelson-Garrett to grant the request to lift the restrictions on Dr. Jones' license. Commission Vice-Chairman Aldridge recused from and did not participate in any deliberation, decision, or voting in this matter. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "J".

Richard L. Sample, D.O.

The Commission received a proposed Joint Settlement Agreement and Consent Order between Dr. Sample and the Alabama State Board of Medical Examiners. A motion was made by Commissioner Christopher with a second by Commissioner Aldridge to accept the Joint Settlement Agreement and to enter a Consent Decree incorporating its terms. A copy of the Commission's order is attached hereto as Exhibit "K".

Hagop Y. Sarkissian, M.D.

The Commission received a proposed Joint Settlement Agreement and Consent Order between Dr. Sarkissian and the Alabama State Board of Medical Examiners. A motion was made by Commissioner Christopher with a second by Commissioner Nelson-Garrett to accept the Joint Settlement Agreement and to enter a Consent Decree incorporating its terms. A copy of the Commission's order is attached hereto as Exhibit "L".

Edward G. Witt, D.O.

The Commission received a Voluntary Surrender and a Motion to Dismiss the Administrative Complaint filed by the Alabama State Board of Medical Examiners. A motion was made by Commissioner Aldridge with a second by Commissioner Seale to accept the Voluntary Surrender and to Dismiss the Administrative Complaint. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "M".



CLOSED SESSION UNDER ALA. CODE 34-24-361.1

At 10:29 a.m., the Commission entered closed session pursuant to Alabama Code § 34-24-361.1 to hear and consider the following matters:

Adebowale A. Adeleye, M.D.

The Commission received as information a status report from the Board of Medical Examiners. A motion was made by Commissioner Nelson-Garrett with a second by Commissioner Seale to instruct the Commission's General Counsel, Aaron Dettling, to phone counsel for Dr. Adeleye to request a status update on this matter. The motion was approved by unanimous vote.

Hesham A. Hassan, M.D.


The Commission received a Motion to Stay filed on behalf of Dr. Hassan. A motion was made by Commissioner Nelson-Garrett with a second by Commissioner Christopher to enter an order staying license suspension, restricting Dr. Hassan's license to practice medicine in Alabama, and setting a hearing for September 23, 2026. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "N".

Janie Teschner, M.D.

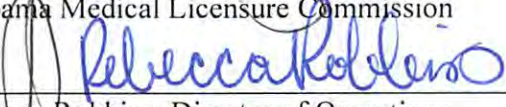
The Commission received as information an update from Aaron Dettling, General Counsel, regarding Dr. Teschner's license probation.

Meeting adjourned at 11:15 a.m.

PUBLIC MEETING NOTICE: The next meeting of the Alabama Medical Licensure Commission was announced for Wednesday, June 24, 2026, beginning at 9:00 a.m.



JORGE ALSIP, M.D., Chairman
Alabama Medical Licensure Commission



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

06/24/2020

Date Signed



EXHIBIT

A

IMLCC Licenses Issued April 1, 2026 - April 30, 2026 (145)

Name	License Type	License Number	Status	Issue Date	Expiration Date	State of Primary Licensure
Christina Judith Arredondo	MD	53754	Active	4/1/2026	12/31/2026	Arizona
Christina Elaina Bentley	MD	53751	Active	4/1/2026	12/31/2026	Arizona
Vincent Lucas David Fryer	MD	53753	Active	4/1/2026	12/31/2026	Arizona
Jasmine Ashley Pascoe	MD	53798	Active	4/9/2026	12/31/2026	Arizona
Andrew Irving Mones	MD	53835	Active	4/20/2026	12/31/2026	Arizona
Raphael Paul Golebiowski	MD	53851	Active	4/22/2026	12/31/2026	Arizona
Aws Ismael Kareem Al Jandeel	MD	53942	Active	4/28/2026	12/31/2026	Arizona
Ajai Kumar Sawhney	MD	53950	Active	4/28/2026	12/31/2026	Arizona
Fred Gardezy	DO	4606	Active	4/21/2026	12/31/2026	Arizona
Yeow Hooi Lim	MD	53776	Active	4/6/2026	12/31/2026	Colorado
Sherry Lynn Niccoli	MD	53786	Active	4/7/2026	12/31/2026	Colorado
Danielle Hemard Melton	MD	53933	Active	4/24/2026	12/31/2026	Colorado
Omar Haider	MD	53800	Active	4/10/2026	12/31/2026	Connecticut
Ravikanth Vydyula	MD	53766	Active	4/2/2026	12/31/2026	Florida
Evan Michael Garrod	MD	53771	Active	4/6/2026	12/31/2026	Florida
Ann Allisa Church	MD	53801	Active	4/10/2026	12/31/2026	Florida
Suchitra Nitya Shivraman	MD	53823	Active	4/15/2026	12/31/2026	Florida
Sylvia Villate Harris	MD	53828	Active	4/17/2026	12/31/2026	Florida
Charlotte Charfen	MD	53831	Active	4/20/2026	12/31/2026	Florida
Maria Strimbu	MD	53848	Active	4/22/2026	12/31/2026	Florida
Sumita Joseph	MD	53912	Active	4/23/2026	12/31/2026	Florida
Zachary Brian Kramer	MD	53914	Active	4/23/2026	12/31/2026	Florida
Daphne Hemmings	MD	53944	Active	4/28/2026	12/31/2026	Florida
Samuel David Teles	MD	53952	Active	4/28/2026	12/31/2026	Florida
Erin Kenney Hammett	DO	4605	Active	4/17/2026	12/31/2026	Florida
Siddhi Patodia	DO	4607	Active	4/21/2026	12/31/2026	Florida
Gregory Joseph Hammett	DO	4609	Active	4/22/2026	12/31/2026	Florida
Lee G Barker	DO	4634	Active	4/28/2026	12/31/2026	Florida
Corydon Walter Siffring	MD	53777	Active	4/6/2026	12/31/2026	Georgia
Eva Beaulieu	MD	53791	Active	4/8/2026	12/31/2026	Georgia
Terry Wayne Hansen	MD	53797	Active	4/9/2026	12/31/2026	Georgia
Heidi Riney	MD	53803	Active	4/10/2026	12/31/2026	Georgia
Robin Lowman White	MD	53811	Active	4/13/2026	12/31/2026	Georgia
Victor J Andress	MD	53817	Active	4/15/2026	12/31/2026	Georgia

Sahithi Battuta	MD	53819	Active	4/15/2026	12/31/2026	Georgia
Derek Lamont Darby Jr	MD	53822	Active	4/15/2026	12/31/2026	Georgia
Michael Richard Nulph IV	MD	53814	Active	4/15/2026	12/31/2026	Georgia
Mushtaq Hussain Qureshi	MD	53838	Active	4/20/2026	12/31/2026	Georgia
Simon Lee	MD	53906	Active	4/23/2026	12/31/2026	Georgia
Jeremiah Anthony Weekes II	DO	4602	Active	4/15/2026	12/31/2026	Georgia
Benjamin David Gold	DO	4597	Active	4/7/2026	12/31/2026	Idaho
Ambalavanan Arunachalam	MD	53770	Active	4/6/2026	12/31/2026	Illinois
Tatiana Doyle	MD	53793	Active	4/8/2026	12/31/2026	Illinois
Catherine Johnson	MD	53805	Active	4/13/2026	12/31/2026	Illinois
Darshan R Patel	MD	53837	Active	4/20/2026	12/31/2026	Illinois
Alfred Torrence	MD	53829	Active	4/20/2026	12/31/2026	Illinois
Lisandro Roberto Fortuny	MD	53845	Active	4/21/2026	12/31/2026	Illinois
Noah Mehr	MD	53948	Active	4/28/2026	12/31/2026	Illinois
Muhammad Rizwan Toor	MD	53833	Active	4/20/2026	12/31/2026	Indiana
Satya Narayanan Ramiah	DO	4603	Active	4/15/2026	12/31/2026	Indiana
Marcus Allen Kater	MD	53790	Active	4/8/2026	12/31/2026	Kansas
Kristopher Wayne Wolfe	MD	53772	Active	4/6/2026	12/31/2026	Kentucky
Ronald James Everson	MD	53807	Active	4/13/2026	12/31/2026	Kentucky
Miriam Slatter Hall	MD	53925	Active	4/23/2026	12/31/2026	Kentucky
Dwan Shirmelle Mabry	MD	53773	Active	4/6/2026	12/31/2026	Louisiana
Jeremy Mark Burnham	MD	53796	Active	4/9/2026	12/31/2026	Louisiana
Tara Henagan	MD	53945	Active	4/28/2026	12/31/2026	Louisiana
Maxwell Mililer	DO	4596	Active	4/1/2026	12/31/2026	Louisiana
Brittany Whitaker	DO	4600	Active	4/9/2026	12/31/2026	Maine
Jordan Rogers	MD	53802	Active	4/10/2026	12/31/2026	Maryland
Nilantha Dharshana Lenora	MD	53808	Active	4/13/2026	12/31/2026	Maryland
Sarah Jae Pozniak	MD	53816	Active	4/15/2026	12/31/2026	Maryland
Rachael Batabyal	MD	53936	Active	4/24/2026	12/31/2026	Maryland
William Frank James III	MD	53954	Active	4/29/2026	12/31/2026	Maryland
Daniel R Fain	MD	53785	Active	4/7/2026	12/31/2026	Michigan
Alice Kim	MD	53836	Active	4/20/2026	12/31/2026	Michigan
Chad Rodney Reid	MD	53844	Active	4/21/2026	12/31/2026	Michigan
Mesfin Etana Abdissa	MD	53806	Active	4/13/2026	12/31/2026	Minnesota
Casey Patrick Fisher	DO	4633	Active	4/28/2026	12/31/2026	Minnesota

Keith Stokes	MD	53752	Active	4/1/2026	12/31/2026	Mississippi
Joaquin Hidalgo	MD	53940	Active	4/28/2026	12/31/2026	Mississippi
Christina Noelle Lenk	MD	53779	Active	4/6/2026	12/31/2026	Missouri
Elizabeth Hale Morgan	MD	53956	Active	4/29/2026	12/31/2026	Missouri
Kristina Suzanne Birch	MD	53824	Active	4/16/2026	12/31/2026	Nebraska
Rajivan Maniam	MD	53810	Active	4/13/2026	12/31/2026	New Jersey
Richard Brian Chastain	MD	53840	Active	4/21/2026	12/31/2026	New Jersey
Yachao Zhang	MD	53910	Active	4/23/2026	12/31/2026	New Jersey
Stephen B Lewis	MD	53937	Active	4/24/2026	12/31/2026	New Jersey
Daniel Allen Rice	MD	53951	Active	4/28/2026	12/31/2026	New Jersey
Ifedayo Olufemi Kuye	MD	53957	Active	4/29/2026	12/31/2026	New Jersey
Edward Issac Engle	DO	4628	Active	4/23/2026	12/31/2026	New Jersey
Swathi Bindu Anche	MD	53774	Active	4/6/2026	12/31/2026	North Carolina
Daniel Christian Minior	MD	53780	Active	4/6/2026	12/31/2026	North Carolina
Victor Cleavon Archie	MD	53821	Active	4/15/2026	12/31/2026	North Carolina
Steven Caldwell Cordero	MD	53818	Active	4/15/2026	12/31/2026	North Carolina
Lee A Surkin	MD	53827	Active	4/17/2026	12/31/2026	North Carolina
Julie Fritz Casasco	MD	53847	Active	4/21/2026	12/31/2026	North Carolina
Jessica McHugh Daniels	MD	53839	Active	4/21/2026	12/31/2026	North Carolina
Pradeep Reddy Patel	MD	53926	Active	4/23/2026	12/31/2026	North Carolina
Juan Ramon Aviles Morales	MD	53929	Active	4/24/2026	12/31/2026	North Carolina
Ilna Humes	MD	53943	Active	4/28/2026	12/31/2026	North Carolina
Veronica Josephine Ray	MD	53949	Active	4/28/2026	12/31/2026	North Carolina
Nikitha Paluri	MD	53958	Active	4/30/2026	12/31/2026	North Carolina
Danny Choy	DO	4604	Active	4/16/2026	12/31/2026	North Carolina
Michael Lisieski	MD	53760	Active	4/1/2026	12/31/2026	Ohio
Ryan Garner Mihata	MD	53792	Active	4/8/2026	12/31/2026	Ohio
Stephen Joseph Jepsen	MD	53794	Active	4/9/2026	12/31/2026	Ohio
Stephanie Ricci	MD	53804	Active	4/10/2026	12/31/2026	Ohio
Kyle Joseph Kettler	MD	53830	Active	4/20/2026	12/31/2026	Ohio
Kelli Marie Gevas	MD	53846	Active	4/21/2026	12/31/2026	Ohio
William Miles Linklater III	MD	53849	Active	4/22/2026	12/31/2026	Ohio
Mohamad Moussa	MD	53932	Active	4/24/2026	12/31/2026	Ohio
Taif Jeelani Mukhdomi	MD	53930	Active	4/24/2026	12/31/2026	Ohio
Tobe Propst	MD	53935	Active	4/24/2026	12/31/2026	Ohio

William Robert Mills	MD	53960	Active	4/30/2026	12/31/2026	Ohio
Darrett Gill	DO	4598	Active	4/8/2026	12/31/2026	Ohio
Steven Daniel Klein	MD	53947	Active	4/28/2026	12/31/2026	Pennsylvania
Anthony Moon	DO	4595	Active	4/1/2026	12/31/2026	Pennsylvania
Brittany Barker Booth	DO	4632	Active	4/28/2026	12/31/2026	Pennsylvania
David John Hak	MD	53924	Active	4/23/2026	12/31/2026	South Dakota
Michelle Rene Lemberger	MD	53775	Active	4/6/2026	12/31/2026	Tennessee
Trevor Chalk Stevens	MD	53850	Active	4/22/2026	12/31/2026	Tennessee
Franics Giovanni Balucan	MD	53923	Active	4/23/2026	12/31/2026	Tennessee
Ronya Green	MD	53931	Active	4/24/2026	12/31/2026	Tennessee
Oyetewa Asempa	MD	53762	Active	4/2/2026	12/31/2026	Texas
Javed Iqbal Gill	MD	53763	Active	4/2/2026	12/31/2026	Texas
Daniel Alan Hale	MD	53764	Active	4/2/2026	12/31/2026	Texas
Ravi Kalidindi	MD	53761	Active	4/2/2026	12/31/2026	Texas
LaToya GuInn Keglovits	MD	53765	Active	4/2/2026	12/31/2026	Texas
Temekka VeShawn Leday	MD	53767	Active	4/2/2026	12/31/2026	Texas
Milena Vuica-Ross	MD	53768	Active	4/2/2026	12/31/2026	Texas
Stella Marie Wenceslao	MD	53769	Active	4/2/2026	12/31/2026	Texas
Robin Wynn Sage Dobson	MD	53787	Active	4/7/2026	12/31/2026	Texas
Karla Avila	MD	53789	Active	4/8/2026	12/31/2026	Texas
Juan Marcos Garcia	MD	53788	Active	4/8/2026	12/31/2026	Texas
Phuoc T Tran	MD	53795	Active	4/9/2026	12/31/2026	Texas
Ramon Angel Robles	MD	53809	Active	4/13/2026	12/31/2026	Texas
Jiasen He	MD	53826	Active	4/16/2026	12/31/2026	Texas
Vijay Sriraj Madhurapantula	MD	53825	Active	4/16/2026	12/31/2026	Texas
Abdelrahman Mohamed Safwat Abdelazim	MD	53834	Active	4/20/2026	12/31/2026	Texas
Olusegun Adebisi Popoola	MD	53832	Active	4/20/2026	12/31/2026	Texas
Victoria Durojaiye	MD	53843	Active	4/21/2026	12/31/2026	Texas
John Howell Hamilton	MD	53841	Active	4/21/2026	12/31/2026	Texas
Gary Laurent Legault	MD	53842	Active	4/21/2026	12/31/2026	Texas
Adeel Ahmad	MD	53913	Active	4/23/2026	12/31/2026	Texas
Paul Singh Bhella	MD	53909	Active	4/23/2026	12/31/2026	Texas
Dallas Leroy Broadway	MD	53911	Active	4/23/2026	12/31/2026	Texas
Peter Dimitrov Gougov	MD	53907	Active	4/23/2026	12/31/2026	Texas
Erica Marie Welein	MD	53908	Active	4/23/2026	12/31/2026	Texas

Justin Nahamin Noroozian	MD	53941	Active	4/28/2026	12/31/2026	Texas
Chong Yon Yun	MD	53946	Active	4/28/2026	12/31/2026	Texas
Gunjan Kant	MD	53953	Active	4/29/2026	12/31/2026	Texas
Sang Gune Kyle Yoo	MD	53955	Active	4/29/2026	12/31/2026	Texas
Baominh Philip Vinh	MD	53961	Active	4/30/2026	12/31/2026	Texas
Alyxandra Lien Bui	DO	4599	Active	4/9/2026	12/31/2026	Texas
Ragini Sastry	DO	4608	Active	4/22/2026	12/31/2026	Texas
Juzar Hussain	DO	4636	Active	4/30/2026	12/31/2026	Texas
Jenney Qin	DO	4635	Active	4/30/2026	12/31/2026	Texas
Timothy Scott Duerler	MD	53959	Active	4/30/2026	12/31/2026	Utah
Nazia Chaudhry	MD	53813	Active	4/15/2026	12/31/2026	Washington
Tabetha Rattliff	MD	53812	Active	4/15/2026	12/31/2026	Washington
Matthew Gregory Shutske	MD	53928	Active	4/24/2026	12/31/2026	Washington
Corey Paul McCart	DO	4601	Active	4/13/2026	12/31/2026	Washington
Blake Charles Jones	MD	53815	Active	4/15/2026	12/31/2026	Wisconsin
Michael Alan Zimmer	MD	53934	Active	4/24/2026	12/31/2026	Wisconsin

**Total licenses issued since April 2017 - 6,942*



EXHIBIT

B

STATE of ALABAMA
MEDICAL LICENSURE COMMISSION

To: Medical Licensure Commission
From: Nicole Roque
Subject: May Physician Monitoring Report
Date: 5/22/2026

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

Richard E. Jones, M.D.
Shakir Raza Meghani, M.D.
Kenneth Eugene Roberts, M.D.



EXHIBIT

C

STATE of ALABAMA
MEDICAL LICENSURE COMMISSION

MEMORANDUM

To: Medical Licensure Commission
From: Rebecca Robbins
Date: May 20, 2026
Subject: Rule Revisions to Section 545 of the Alabama Administrative Code

Attached are the filed rule revisions to the following administrative rules:

Alabama Administrative Rule 545-X-4-.06: Unprofessional Conduct

Alabama Administrative Rule 545-X-4-.10: Registered Mailing Address; Service of Pleadings, Notices And Other Papers

Alabama Administrative Rule 545-X-3-.03: Initiation Of A Contest Case; Notice And Opportunity For Hearing In Contested Cases; Contents Of Notice; Procedure Upon Failure Of Notified Party To Appear; Presentation Of Evidence And Argument; Right To Counsel; Disposition By Stipulation; Settlement; Contents Of Record; Public Attendance At Oral Proceedings; Recordings And Transcripts of Oral Proceeding.

Alabama Administrative Rule 545-X-3-.08: Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of Licenses.

These revisions were filed with the Legislative Services Agency for public comment on March 20, 2026, with a deadline to submit comments by May 5, 2026. Comments received from the public are attached to this memorandum.

After review and consideration of the public comments, the Commission may vote to amend the proposed language or adopt the language as filed.

Documents Attached:

- Drafted Revision of Alabama Administrative Rule 545-X-4-.06
- Drafted Revision of Alabama Administrative Rule 545-X-4-.10
- Drafted Revision of Alabama Administrative Rule 545-X-3-.03
- Drafted Revision of Alabama Administrative Rule 545-X-3-.08
- Public Comments

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 545
Department or Agency: Medical Licensure Commission of Alabama
Rule No.: 545-X-4-.06
Rule Title: Unprofessional Conduct
Intended Action: Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Rebecca S. Robbins
Rebecca S Robbins

Date

Friday, March 20, 2026

REC'D & FILED
MAR 20, 2026
LEGISLATIVE SVC AGENCY

APA-2

MEDICAL LICENSURE COMMISSION OF ALABAMA

NOTICE OF INTENDED ACTION

AGENCY NAME: Medical Licensure Commission of Alabama

RULE NO. & TITLE: 545-X-4-.06 Unprofessional Conduct

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Medical Licensure Commission proposes a rule amendment that includes grammatical corrections and add language regarding acts detrimental to the proper regulation of the practice of medicine.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

All interested persons may submit data, views, or arguments concerning the proposed rule in writing to: Rebecca Robbins, Director of Commission Operations, Medical Licensure Commission of Alabama, 848 Washington, Avenue, Montgomery, Alabama 36104, by mail or in person between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, until and including May 5, 2026. Copies of proposed rules may be obtained at the Board's web site, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, May 5, 2026

CONTACT PERSON AT AGENCY:

Rebecca Robbins
Director of Operations
848 Washington Avenue
Montgomery, AL 36104
334-242-4153

Rebecca S. Robbins

Rebecca S Robbins

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

Unprofessional Conduct.

Unprofessional conduct shall mean the ~~Commission~~commission or omission of any act that is detrimental or harmful to the ~~patient~~ of the physician or detrimental or harmful to the health, safety, and welfare of the patient or of the general public, and which violates the high standards of honesty, diligence, prudence, and ethical integrity demanded from physicians and osteopaths licensed to practice in the State of Alabama. ~~Furthermore,~~ without ~~Without~~ limiting the definition of unprofessional conduct in any manner, the Commission sets out the below as examples of unprofessional conduct:

- (1) The refusal by a physician to comply, within a reasonable time, with a request from another physician for medical records or medical information when such request is accompanied by a properly executed authorization of the patient.
- (2) ~~Intentionally, knowingly or willfully~~Knowingly causing or permitting a false or misleading representation of a material fact to be entered on any medical record of a patient.
- (3) ~~Intentionally, knowingly or willfully~~Knowingly preparing, executing or permitting the preparation by another of a false or misleading report or statement concerning the medical condition or extent of disability of a patient.
- (4) ~~The prescribing~~Prescribing, dispensing, administering, supplying or otherwise distributing ~~of any Schedule II amphetamine and/or Schedule II amphetamine-like anorectic drug in violation of Code of Ala. 1975, Code~~ §20-2-54, as amended in Act No. 83-890, Special Session, 1983.
- (5) ~~The failure~~Failure to report to the ~~Alabama State Board of Medical Examiners~~ any final judgment rendered against such physician during the preceding year or any settlement in or out of court during the preceding year, resulting from a claim or action for damages for personal injuries caused by an error, omission, or negligence in the performance of his professional services, or in the performance of medical professional services without consent as required by Code of Ala. 1975, Code §34-24-56.
- (6) ~~The refusal~~Refusal or failure by a physician to comply with an order entered by the ~~Medical Licensure Commission or by the Board of Medical Examiners issued pursuant to Code of Ala. 1975, Section~~ Code §34-24-360(19) or (20) or pursuant to Code of Ala 1975, Section 34-24-361(h).
- (7) ~~Intentionally or knowingly~~Knowingly making a false, deceptive or misleading statement in any advertisement or commercial

solicitation for professional services and/~~or intentionally or~~ knowingly making a false, deceptive or misleading statement about another physician or group of physicians in any advertisement or commercial solicitation for professional services.

(8) Failure or refusal of a J-1 physician to comply with waiver service requirements stated in the J-1 Visa Waiver Affidavit and Agreement signed by a J-1 physician.

(9) Conduct which is immoral ~~and which is willful~~, shameful, and which ~~shows a moral~~ evidences indifference to the moral standards and opinions of the community.

(10) Conduct which is dishonorable and ~~which shows~~ evidences a disposition to lie, cheat, or defraud.

(11) Failing or refusing to maintain adequate medical records on a patient or patients.

(12) Prescribing or dispensing a controlled substance to oneself or to one's spouse, child, sibling (including step- and half-siblings), parent, intimate partner, or to any other person where the physician's professional objectivity, the patient's autonomy, or informed consent are substantially compromised, unless such prescribing or dispensing is necessitated by emergency or other exceptional circumstances.

(13) Signing a blank, undated or predated prescription form.

(14) Representing that a manifestly incurable disease or infirmity can be ~~permanently~~ cured, or that any disease, ailment or infirmity can be cured by a secret method, procedure, treatment, medicine or device, if such is not the fact.

(15) Refusing to divulge to the ~~board~~ Board or ~~commission~~ Commission upon demand the means, method, procedure, modality of treatment, or medicine used in the treatment of a disease, injury, ailment or infirmity.

(16) Knowingly making any false or fraudulent statement, written or oral, in connection with the practice of medicine or osteopathy or in applying for privileges or renewing an application for privileges at a health care institution.

(17) Sexual misconduct in the practice of medicine as defined in Rule 545-X-4-.07.

(18) Representing or holding oneself out as a medical specialist when such is not the case.

(19) Failing to furnish information in a timely manner to the ~~board~~Board or Commission if requested by the ~~board~~Board or Commission.

(20) Failing to report to the ~~board~~Board in a timely manner information required to be reported by Code of Ala. 1975, Section Code §34-24-361(b).

~~(21) Giving false testimony in any judicial or administrative proceeding.~~

~~(22) The violation~~Violation of any rule duly promulgated by the ~~Alabama Board of Medical Examiners~~ or the ~~Medical Licensure Commission~~ pursuant to their rule making authority as set forth in the ~~Alabama Administrative Procedures Act~~.

~~(23) The refusal~~(22) Refusal or failure by a physician to comply with any voluntary agreement entered into between the physician and the ~~Board of Medical Examiners~~ and/or the Commission.

(23) Acts detrimental to the proper regulation of the practice of medicine, including but not limited to:

(a) Knowingly making a false statement of material fact in any investigation or contested case proceeding conducted by the Board, any contested case proceeding conducted before the Commission, or in any other formal judicial or administrative proceeding relating to the practice of medicine.

(b) Knowingly falsifying, altering, or destroying any document, record, or other evidence when the physician has reason to believe that such document, record, or evidence may be relevant to an investigation or proceeding before the Board or Commission.

(c) Harassing or intimidating conduct, the intended or reasonably foreseeable result of which is to coerce, obstruct, or otherwise interfere with any person's participation in an investigation or proceeding before the Board of Commission, or to retaliate against any person for participating in an investigation or proceeding before the Board or Commission.

(d) Submitting any motion, pleading, brief, or other paper to the Board or to the Commission containing false, fabricated, or nonexistent legal citations. This subdivision applies to all physicians, whether or not presented by a licensed attorney.

Author: ~~Wayne P. Turner, Wallace D. Mills~~ Medical Licensure Commission of Alabama

Statutory Authority: ~~Code of Ala. 1975,~~ Cde §34-24-360(2).

History: Filed February 3, 1984. **Amended:** Filed June 4, 1985.

Amended: Filed July 11, 2000; effective August 15, 2000.

Amended: Filed March 4, 2003; effective April 8, 2003. **Amended:** Filed June 24, 2005; effective July 27, 2005. **Amended:** Filed

December 10, 2018; effective January 24, 2019. **Amended:**

Published July 31, 2024; effective September 14, 2024. **Amended:**

Published ; effective .

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 545
Department or Agency: Medical Licensure Commission of Alabama
Rule No.: 545-X-4-.10
Rule Title: Service Of Pleadings, Notices And Other Papers
Intended Action: Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes
Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes
Is there another, less restrictive method of regulation available that could adequately protect the public? No
Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No
To what degree?: N/A
Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA
Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes
Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Rebecca S. Robbins
Rebecca S Robbins

REC'D & FILED

Date

Friday, March 20, 2026

MAR 20, 2026

LEGISLATIVE SVC AGENCY

MEDICAL LICENSURE COMMISSION OF ALABAMA

NOTICE OF INTENDED ACTION

AGENCY NAME: Medical Licensure Commission of Alabama

RULE NO. & TITLE: 545-X-4-.10 Service Of Pleadings, Notices And Other Papers

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Medical Licensure Commission proposes a rule amendment that includes grammatical corrections and add language regarding service of pleadings. notices, and other papers

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

All interested persons may submit data, views, or arguments concerning the proposed rule in writing to: Rebecca Robbins, Director of Commission Operations, Medical Licensure Commission of Alabama, 848 Washington, Avenue, Montgomery, Alabama 36104, by mail or in person between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, until and including May 5, 2026. Copies of proposed rules may be obtained at the Board's web site, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, May 5, 2026

CONTACT PERSON AT AGENCY:

Rebecca Robbins
Director of Operations
848 Washington Avenue
Montgomery, AL 36104
334-242-4153

Rebecca S. Robbins

Rebecca S Robbins

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

Registered Mailing Address; Service Of
Pleadings, Notices And Other Papers.

~~(1) Unless provided for elsewhere in these rules, service of pleadings, notices, and other papers~~Every physician licensed to practice medicine and/or osteopathy in the State of Alabama has a continuing affirmative obligation to maintain a current mailing address with the Commission. If any physician shall change his or her address during the year for which any certificate of registration shall have been issued by the Commission, parties, or interested persons may be affected by such physician shall, within 15 days thereafter, notify the Commission of such change, whereupon the Commission shall issue to such physician, without additional fee, a duplicate registration certificate for such new location.

(2) Any notice, pleading, or other document required by law to be served by the Commission upon a physician may be served by any one or more of the following methods:

(a) by personal service in accordance with the Alabama Rules of Civil Procedure effected by a Board investigator;

(b) by placing notice in the U.S. Certified Mail properly, with return receipt requested, addressed with necessary postage affixed to the physician at an address provided by the physician pursuant to subsection (1) of this Rule, which service shall be deemed perfected upon mailing;

(c) by third-party commercial carrier for delivery within three calendar days with delivery receipt required, in which case addressed to the physician at an address provided by the physician pursuant to subsection (1) of this Rule, which service is shall be deemed perfected upon delivery deposit with the carrier;

(d) by electronic mail upon agreement if the recipient to accept service by electronic mail, which service shall be deemed perfected upon receipt by the sender of an electronic mail acknowledging or showing receipt by the person upon whom service was intended.

(2) Where an appearance has been entered by an attorney on behalf of a party or interested person, service under this rule made by made upon said attorney.

Author: Wallace D. Mills

Statutory Authority: Code of Ala. 1975, §§41-22-12(a), 34-24-337, 34-24-338.

History: **New Rule:** Filed December 10, 2018; effective January 24, 2019. **Amended:** Published _____ ; effective _____.

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 545

Department or Agency: Medical Licensure Commission of Alabama

Rule No.: 545-X-3-.03

Rule Title: Initiation Of A Contested Case; Notice And Opportunity For Hearing In Cases; Contents Of Notice; Procedure Upon Failure Of Notified Party To Appear; Presentation Of Evidence And Argument, Right To Counsel; Disposition By Stipulation; Settlement; Contents Of Record; Public Attendance At Oral Proceedings; Recordings And Transcripts Of Oral Proceedings

Intended Action Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

.....

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975 and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

REC'D & FILED MAR 20, 2026 LEGISLATIVE SVC AGENCY

APA-1

Signature of certifying officer

Rebecca S. Robbins

Rebecca S Robbins

Date

Friday, March 20, 2026

MEDICAL LICENSURE COMMISSION OF ALABAMA

NOTICE OF INTENDED ACTION

AGENCY NAME:

Medical Licensure Commission of Alabama

RULE NO. & TITLE:

545-X-3-.03 Initiation Of A Contested Case; Notice And Opportunity For Hearing In Cases; Contents Of Notice; Procedure Upon Failure Of Notified Party To Appear; Presentation Of Evidence And Argument, Right To Counsel; Disposition By Stipulation; Settlement; Contents Of Record; Public Attendance At Oral Proceedings; Recordings And Transcripts Of Oral Proceedings

INTENDED ACTION:

Amend

SUBSTANCE OF PROPOSED ACTION:

The Medical Licensure Commission proposes a rule amendment that includes grammatical corrections and add language regarding the filing and service of documents in a contested case hearing.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

All interested persons may submit data, views, or arguments concerning the proposed rule in writing to: Rebecca Robbins, Director of Commission Operations, Medical Licensure Commission of Alabama, 848 Washington, Avenue, Montgomery, Alabama 36104, by mail or in person between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, until and including May 5, 2026. Copies of proposed rules may be obtained at the Board's web site, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, May 5, 2026

CONTACT PERSON AT AGENCY:

Rebecca Robbins
Director of Operations
848 Washington Avenue
Montgomery, AL 36104
334-242-4153

Rebecca S. Robbins

Rebecca S Robbins

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

545-X-3-.03

Initiation Of A Contested Case; Notice And Opportunity For Hearing In Cases; Contents Of Notice; Procedure Upon Failure Of Notified Party To Appear; Presentation Of Evidence And Argument, Right To Counsel; Disposition By Stipulation; Settlement; Contents Of Record; Public Attendance At Oral Proceedings; Recordings And Transcripts Of Oral Proceedings.

(1) A contested case before the Medical Licensure Commission shall be initiated by the filing of a written administrative complaint signed by any member of the Alabama Board of Medical Examiners, any duly licensed physician, the executive officer of the Board or any other person and which alleges that the respondent may be guilty of one or more of the grounds for discipline of a license to practice medicine as provided in Code of Ala. 1975, Code §34-24-360, and these rules and regulations.

(2) Any physician holding a certificate of qualification to practice medicine in Alabama shall and is hereby required to, and any other person may, report to the Board or the Commission any information such physician or other person may have which appears to show that any physician holding a certificate of qualification to practice medicine in Alabama may be guilty of any of the acts, offenses or conditions set out in Code of Ala. 1975, Code §34-24-360; and any physician or other person who in good faith, makes such a report to the Board or to the Commission shall not be liable to any person for any statement or opinion made in such report.

(3) In a contested case for the discipline of a license instituted by the filing of an administrative complaint, all parties shall be afforded an opportunity for hearing after reasonable notice in writing. Such notice shall be delivered to the physician against whom the administrative complaint is filed by personal service required by §34-24-361(e) as prescribed in Rule 545-X-4-.10. Delivery of the notice referred to in this subsection shall constitute commencement of the contested case proceedings.

(4) The notice shall include:

- (a) A statement of the time, place and nature of the hearing;
- (b) A statement of the legal authority and jurisdiction under which the hearing is to be heard;
- (c) A reference to the particular sections of the statutes and rules involved.

(5) In addition, the notice may include:

(a) A time deadline for the filing of an answer to the administrative complaint;

(b) A time deadline for the filing of all motions addressed to the sufficiency of the administrative complaint;

(c) A time deadline for the filing of all motions requesting prehearing relief;

(d) A time deadline for the complainant to furnish to the respondent a list of witnesses who are expected to offer testimony;

(e) A time deadline for the respondent to furnish to the complainant a list of witnesses who are expected to offer testimony;

(f) A time deadline for the complainant and the respondent to furnish to the Commission the name and full address of each witness residing in the State of Alabama who is requested to be subpoenaed for attendance at the hearing;

(g) A copy of the administrative complaint that has been filed before the ~~Medical Licensure Commission~~ in regard to the license of the physician and which contains a short and plain statement of the matters asserted. If the complainant is unable to state the matters in detail at the time the notice is served, the initial notice may be limited to a statement of the issues involved. Thereafter, upon application, a more definite and detailed statement shall be furnished.

(6) Upon receipt of the Notice of Hearing by the respondent, the respondent shall file an answer with the Commission which either admits or denies the allegations contained in the administrative complaint which was filed against the respondent before the ~~Medical Licensure Commission~~. If the respondent fails to file an answer, a general denial shall be entered on behalf of the respondent and the allegations in the administrative complaint shall be deemed denied.

(a) If the respondent admits the allegations of the administrative complaint and those admissions indicate that the respondent is guilty of a violation of Code of Ala. 1975, Code §34-24-360, then the hearing scheduled by the ~~Medical Licensure Commission~~ shall proceed on the question of appropriate punishment for the violation. At this hearing, all parties shall be afforded the opportunity to present

evidence which is germane to the issue of appropriate punishment.

(b) If the answer filed by the respondent denies the allegations of the administrative complaint filed with the ~~Medical Licensure Commission~~, then the hearing scheduled by the Commission shall proceed on the factual matters which are alleged in the administrative complaint.

(c) If the respondent fails to file an answer, or if the respondent files an answer and such answer does not specifically place in issue proper service of the initial notice described in subsection (3) of this Rule, then proper service of the initial notice described in subsection (3) of this Rule shall be deemed admitted.

(7) If a party fails to appear, or absents himself, in a contested case proceeding after proper service of notice, the presiding officer may, if no adjournment is granted, proceed with the hearing and make a decision in the absence of the party.

(8) Opportunity shall be afforded all parties to respond and present evidence and argument on all material issues involved and to be represented by counsel at their own expense.

(9) Unless precluded by statute, informal dispositions may be made of any contested case by stipulation, agreed settlement, consent order or default or by another method agreed upon by the parties in writing, subject to approval of the Commission.

(10) The record in a contested case shall include:

(a) All pleadings, motions, and intermediate rulings;

(b) All evidence received or considered and all other submissions; provided, in the event that evidence in any proceeding may contain proprietary and confidential information, steps shall be taken to prevent public disclosure of that information;

(c) A statement of all matters officially noticed;

(d) All questions and offers of proof, objections and rulings thereon;

(e) All proposed findings and exceptions;

(f) Any opinion or report by the legal counsel at the hearing; and

(g) All staff memoranda or data submitted to the legal counsel or members of the agency in connection with their consideration of the case unless such memoranda or data is protected as confidential or is recognized as privileged by laws of the state of Alabama; provided, if such memoranda or data contains information of a proprietary and confidential nature, it shall be protected by the Commission from public disclosure.

(h) Administrative complaints seeking to discipline the licenses to practice medicine of physicians and all orders of the Commission which are dispositive of the issues raised by such complaints shall be public record.

(11) Hearings on administrative complaints shall be closed. The record in such hearings, including witness testimony, exhibits and pleadings, shall be confidential and shall not be available for public inspection; provided, however, that all administrative complaints, and amendments thereto, and all orders of the Commission which are dispositive of the issues raised by such complaints, shall be public record.

(12) Oral proceedings shall be recorded either by mechanized means or by qualified shorthand reporters. Oral proceedings or any part thereof shall be transcribed at the request of any party with the expense of the transcription charged to the requesting party. The recording of stenographic notes of oral proceedings or the transcription thereof shall be filed with and maintained by the agency for at least five years from the date of decision and shall be made available for inspection by the public, except in those cases where hearings are closed, or where the proceedings shall be ordered sealed by order of court, or are required to be sealed by statute.

(13) An administrative complaint may be amended without leave of the Commission at any time more than 45 days before the first setting of the case for hearing. Thereafter, the Commission may permit the administrative complaint to be amended, but no amendments shall be permitted that are not germane to the acts, offenses or conditions originally charged or that materially alters the nature of any act, offense or condition charges; provided, however, that amendments to conform to the evidence may be allowed in conformance with Rule 15(b), Alabama Rules of Civil Procedure.

(14) Findings of fact shall be based solely on the evidence in the record and on matter officially noticed in the record.

(15) The Commission shall not order the suspension or revocation of a license unless at least five members of the Commission are

present and a majority of those present vote for such suspension or revocation.

(16) The final order of the Commission shall be served upon the respondent as prescribed in Rule 545-X-4-.10.

Author: Wayne P. Turner, Wallace D. Mills

Statutory Authority: Code of Ala. 1975, §§34-24-361, 34-24-361.1, 34-24-366, ~~41-22-1234-24-337~~, 34-24-33841-22-12.

History: Filed May 6, 1983. **Repealed and new rule adopted in lieu thereof:** Filed May 1, 1984. **Amended:** Filed March 4, 2003; effective April 8, 2003. **Amended:** Filed May 5, 2010; effective June 9, 2010. **Amended:** Filed December 10, 2018; effective January 24, 2019. **Amended:** Published ; effective .

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 545
Department or Agency: Medical Licensure Commission of Alabama
Rule No.: 545-X-3-.08
Rule Title: Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License
Intended Action: Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? Yes

To what degree?: The amended rule proposal includes a rate cap increase that the Board's attorney may charge in the prosecution of a case before the Commission.

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

REC'D & FILED

Signature of certifying officer

Rebecca S. Robbins
Rebecca S Robbins

MAR 20, 2026

Date

Friday, March 20, 2026

LEGISLATIVE SVC AGENCY

MEDICAL LICENSURE COMMISSION OF ALABAMA

NOTICE OF INTENDED ACTION

AGENCY NAME: Medical Licensure Commission of Alabama

RULE NO. & TITLE: 545-X-3-.08 Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Medical Licensure Commission proposes a rule amendment that includes grammatical corrections and add language regarding excessive and unnecessary filings.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

All interested persons may submit data, views, or arguments concerning the proposed rule in writing to: Rebecca Robbins, Director of Commission Operations, Medical Licensure Commission of Alabama, 848 Washington, Avenue, Montgomery, Alabama 36104, by mail or in person between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, until and including November 4, 2025. Copies of proposed rules may be obtained at the Board's web site, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, May 5, 2026

CONTACT PERSON AT AGENCY:

Rebecca Robbins
Director of Operations
848 Washington Avenue
Montgomery, AL 36104
334-242-4153

Rebecca S. Robbins

Rebecca S Robbins

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

Appointment And Authority Of Hearing Officer And
Legal Counsel; Grounds For Suspension Or
Revocation Of License.

(1) The Commission may appoint, from time to time, a hearing officer for the purposes of presiding over and conducting contested case hearings before the Commission and issuing pre-hearing rulings as may be necessary to the orderly conduct of said cases. The hearing officer shall be an attorney licensed to practice law in the state of Alabama. The Commission's hearing officer shall not have participated in the investigation or prosecution of the licensee in the matters pertaining to the contested case. The hearing officer shall not have a manifest conflict of interest with any party in a contested case. The general duties of the hearing officer shall be to preside over and direct the course of contested cases before the Commission, Specifically, the hearing officer is empowered to:

(a) Issue procedural orders setting dates, deadlines, and timetables by which parties must submit or disclose evidentiary material or notices related to the orderly conduct of a contested case. Hearing dates shall be set by the Chairman. The hearing officer may grant continuances or postponements of hearings on contested cases upon the assent of the Chairman.

(b) To issue subpoenas, protective orders, and discovery orders on behalf of the Commission upon application of a party. The hearing officer may impose reasonable conditions and limitations on discovery in a contested case through limited written interrogatories, document production, and depositions as may be allowed by the Alabama Administrative Procedures Act.

(c) To impose reasonable conditions and limitations on the parties' presentations during a contested case including, but not limited to: the prescribing of reasonable limitations on argument, prescribing the length of time allotted for the presentation of a parties' case, directing that evidence relevant to the general character and reputation of the licensee be submitted in writing by affidavit or to place reasonable limitations upon the number of witnesses permitted to testify as to the character and reputation of the licensee, and/or requiring the parties to submit ~~brief~~briefs or memoranda on issues put before the Commission.

(d) To issue orders and rulings related to the attendance of parties, attorneys, and witnesses at hearings and conferences.

(e) To hold and preside over pre-hearing conferences of parties and/or attorneys as may be necessary to the orderly conduct of a contested case.

(f) To issue orders and rulings on all other matters of procedure and law necessary to the orderly conduct of the contested case. In ruling on motions or objections contesting the legal sufficiency of an administrative complaint or notice given under the Alabama Administrative Procedures Act, the hearing officer may order the complainant to file a more definite statement. Dismissal of a complaint will only be upon the order of the Commission.

(g) To administer oaths and to certify the authenticity of documents when required in the discharge of their duties as hearing officer in a contested case.

(2) Legal counsel is an individual appointed by the Commission to act in such capacities and with such authority as is specified herein. Legal counsel shall be an attorney licensed to practice law in the state of Alabama. The legal counsel shall be compensated at a rate to be prescribed by the Commission for services actually performed pursuant to a contractual agreement. Subject to the restrictions concerning participation in prosecution and conflict of interest, a legal counsel may be an employee of the Commission. The general duties of the legal counsel shall be to advise the Commission on matters of law and evidence pertaining to contested cases and issues before the Commission and to assist the Commission in the preparation of orders, communications, opinions, and decrees.

(a) The legal counsel is specifically authorized to represent the Commission in all matters involving the Commission in state and federal courts. The legal counsel is specifically authorized to represent the Commission in all appeals from its decisions and orders.

(b) The legal counsel shall advise the Commission on matters of evidence and law during its deliberations.

(c) When directed by the Commission, the legal counsel shall prepare the final order reflecting the decision of the Commission in each contested case. The final order shall be executed and authenticated in the manner prescribed by the Commission.

(d) The legal counsel shall draft and advise the Commission on rules changes as directed by the Commission.

(e) In addition, the legal counsel shall be authorized to perform such duties and functions as may be prescribed by the Commission, it being the intent of this rule that the legal counsel shall be the chief legal advisor to the Commission. The Commission's legal counsel shall not have participated in the investigation or prosecution of the licensee in the matters pertaining to the contested case. The legal counsel shall not have a manifest conflict of interest with any party in a contested case.

(3) Where no hearing officer is appointed by the Commission, the Chairman of the Commission shall preside during hearings with the assistance and advice of legal counsel and perform all other duties of the hearing officer.

(4) ~~All~~ Except as provided otherwise in Ala. Code §34-24-366 and Rule 545-X-3-.14(3), all evidence and argument shall be presented before the Commission and no member of the Commission shall participate in the final decision unless ~~he~~ the member either has been present during all of the hearing or ~~unless he has~~ reviewed and considered the complete record of those proceedings ~~which took place in his absence.~~

(5) All rulings of the hearing officer or Chairman, where no hearing officer is appointed, or the Chairman's designee shall be final and shall be deemed to be the action of the Commission unless such rulings are challenged by a member of the Commission. All such challenges are to be considered and decided by the Commission outside the presence of the parties, attorneys and witnesses to the contested case, and only the decision of the Commission shall be entered into the record. The Chairman is specifically authorized to require that any person whose behavior is disruptive to the orderly conduct of the proceedings leave the hearing and may then order the proceedings to continue or to be postponed as circumstances shall dictate.

(6) During the conduct of any contested case the members of the Commission may direct questions to witnesses who testify before the Commission.

(7) The hearing shall be conducted in so far as is practicable in the same manner as a civil action at law. In a hearing the complainant shall have the obligation to proceed first and to present such evidence touching upon the specific allegations of the complaint as will establish at least a prima facie violation of the offenses and conditions as stated in the complaint. At the conclusion of the complainant's presentation, the ~~respondent~~ Respondent shall have the opportunity to call witnesses on his or her behalf and to rebut the allegations of the complainant and/or to present evidence in mitigation of the

evidence presented by the complainant. At the completion of Respondent's case, Complainant shall be allowed to call witnesses or submit evidence to rebut facts or issues raised by Respondent.

(8) At the conclusion of the hearing, the Commission shall hold its deliberations in executive closed session pursuant to Ala. Code §34-24-361.1 in consultation with the legal counsel. If the Commission finds that a physician is guilty of any of the acts, offenses or conditions enumerated in §34-24-360, the Commission may take any of the following actions or any combination of the following ~~action~~actions:

(a) Enter a judgment and impose a penalty, which penalty may include revoking, suspending, or restricting a license to practice medicine, issuing a reprimand, issuing a non-disciplinary citation, imposing a fine, or any combination thereof;

(b) Suspend imposition of judgment and penalty;

(c) Impose judgment and penalty, but suspend enforcement thereof by placing the physician on probation, which probation shall be revocable if the Commission finds that the conditions of the probation order are not followed by the physician.

(i) As a condition of probation the Commission may require the physician to submit to care, counseling, or treatment by a healthcare professional designated by the Commission. The expense of such care, counseling or treatment shall be borne by the physician on probation.

(ii) The Commission may at any time modify the conditions of the probation and may include among them any reasonable condition for the purpose of the protection of the public or for the purpose of the rehabilitation of the probationer or both.

(d) Impose a fine on the ~~respondent~~Respondent in an amount not greater than ten thousand dollars (\$10,000.00) for each violation of '34-24-360 or any rule or regulation of the Commission which relates to Ala. Code 34-24-360.

(i) All administrative fines assessed by the Commission shall be due and payable to the Commission within thirty (30) days from the date the fine is assessed, unless otherwise provided for by order of the Commission. In the event that an appeal is filed subject to ~~'34-24-357, Code of Ala. 1975~~Code 34-24-367, then the fine shall be required to be paid. However, the Commission shall refund

the fine in the event the decision of the Commission is reversed by the final judgment of the reviewing court.

(ii) The Commission shall not renew the annual certificate of registration as set forth in ~~Section~~ Ala. Code §34-24-337 of any physician against whom an administrative fine has been assessed by the Board of Medical Examiners or the Commission until such fine is paid in full. However, if an order of the Medical Licensure Commission or the Board of Medical Examiners allows for the payment of the fine or costs in installments and if the licensee is current with the installment payment, then the physician shall be permitted to renew his or her certificate of registration. In the event that the fine is paid more than thirty-one (31) days after registration is due, the licensee shall be required to pay the reinstatement fee and complete all forms as provided by these rules.

(iii) All administrative fines received by the Commission shall be deposited in an escrow account and held until all proceedings seeking review of the Commission's order have concluded. At the conclusion of these proceedings or after the statutory period for filing an appeal has lapsed, all fines paid to the Commission shall be deposited with the Board of Medical Examiners for use as provided by statute and by the rules and regulations of the Alabama State Board of Medical Examiners.

(9) Administrative Costs: in addition to the administrative fine authorized in subsection (8)(d), the Commission, upon application by the Board of Medical Examiners, may require a physician found to be in violation of ~~Section~~ Ala. Code §34-24-360 to pay the costs, fees, and expenses of the Board incurred in connection with any proceedings before the Commission. Such costs include, but are not limited to the following;

(a) The actual cost of independent medical review and expert testimony.

(b) Fees and expenses of ~~board~~ Board counsel.

(c) Deposition costs.

(d) Travel expenses for ~~board~~ Board staff.

(e) Charges incurred for obtaining documentary evidence, and such other categories of expenses as may be prescribed in regulation published by the Board and Commission.

(f) To recover administrative costs and expenses associated with excessive and unnecessary filings, an assessment equal to \$0.50 per word of any motions, pleadings, or other papers filed by the Respondent with the Commission, excluding the following:

(i) One Answer to the Administrative Complaint;

(ii) One motion, not exceeding 2,000 words, testing the legal and/or factual sufficiency of the allegations of the Administrative Complaint;

(iii) Any motion, pleading, or other paper directed or authorized in advance by the Hearing Officer;

(iv) Any motion, pleading, or other paper, or the portion thereof, which results in the Commission granting substantial relief to the Respondent;

(v) Witness and exhibit lists;

(vi) Exhibits filed as documentary evidence, and sworn testimony given, in the contested case hearing; and

(vii) One application for rehearing pursuant to Ala. Code §41-22-17.

(10) Payment of any costs, fees, or expenses ordered by the Commission shall be made and enforced in the same manner as an administrative fine, as set forth in the preceding section. The following procedures shall be followed with the regard to requests for costs, fees and expenses:

(a) If the Board intends to seek the imposition of costs, fees and expenses, it shall give notice of such intent prior to the commencement of the final hearing. Such notice may be included in the Administrative Complaint, or it may be given by separate pleading filed with the Commission, a copy of which shall be served on the licensee or his/her attorney.

(b) Unless otherwise ordered by the Commission, the Board shall submit to the Commission, within thirty days after the conclusion of the final hearing, a complete bill of costs, fees and expenses. Such bill of costs, fees and expenses shall include a verification by the General Counsel of the Alabama Board of Medical Examiners, that the costs, fees, and expenses were necessary for the prosecution of the case. A copy of such bill of costs, fees and expenses shall be served upon the licensee or his/her attorney.

(c) The licensee may file written objections to the bill of costs, fees and expenses within ten days of service thereof. Such objection shall be set forth in detail the basis for such objection. If no objection is filed, the Commission may assume that the costs, fees and expenses requested are necessary and reasonable.

(d) In determining whether or not to award ~~costs~~ costs, fees and expenses, the Commission shall determine whether or not such ~~costs~~ costs, fees and expenses are reasonable and necessary for the prosecution of the case. Attorney fees shall be awarded at a rate not to exceed ~~\$150.00~~ \$195.00 per hour for the Board's in-house counsel. Attorney fees for outside counsel shall be awarded at a rate not to exceed the contract rate set out in the contract between the Board and said counsel.

(e) The Commission may include its ruling on the request for costs, fees and expenses in its final order. In the alternative, the Commission may enter a final order and reserve for a later time the issue of costs, fees and expenses. The fact that the issue of costs, fees and expenses is reserved for a later ruling shall not affect the finality of the order.

(11) If a license to practice medicine in Alabama is suspended or revoked, the holder of that license shall not practice in Alabama during the term of the suspension or revocation.

(12) If the Commission finds that the physician is not guilty of any of the acts, offenses or conditions enumerated in §34-24-360, it shall issue a judgment setting out such findings and dismiss the administrative complaint.

(13) When the issue is whether or not a doctor is competent or physically or mentally capable of practicing medicine with reasonable skill and safety to patients, then, upon a showing of probable cause to the Commission that the doctor is not competent or capable of practicing medicine with reasonable skill and safety to patients, the Commission may order and direct the doctor in question to submit to physical, mental, laboratory, or diagnostic examination or testing or any combination of such examinations or testing to be performed by a physician or other healthcare professional designated by the Commission. The expense of such examination shall be borne by the physician who is so examined.

(14) Every physician licensed to practice medicine in Alabama who accepts the privilege of practicing medicine in Alabama by actually practicing or by the making and filing of an annual

registration to practice medicine shall be deemed to have given his consent to submit to a mental, physical or laboratory examination or to any combination of such examination and to waive all objections to the admissibility of the examining health care professional's testimony or examination reports on the ground that they constitute privileged doctor-patient communications.

(15) The Commission shall have the power and duty to suspend, revoke or restrict any license to practice medicine in the State of Alabama or place on probation or fine any licensee, whenever the licensee shall be found guilty on the basis of substantial evidence of any of the following acts or offenses:

(a) Fraud in applying for or procuring a certificate of qualification to practice medicine or a license to practice medicine in this State;

(b) Unprofessional conduct as defined by statute or by these rules and regulations promulgated by the Commission;

(c) Practicing medicine in such a manner as to endanger the health of the patients of the practitioner;

(d) Conviction of a felony; a copy of the record of conviction, certified to by the clerk of the court entering the conviction, shall be conclusive evidence;

(e) Conviction of any crime or offense which reflects the inability of the practitioner to practice medicine with due regard for the health or safety of his patients; a copy of the record of conviction, certified to by the clerk of the court entering the conviction, shall be conclusive evidence;

(f) Conviction for any violation of a federal or state law relating to controlled substances; a copy of the record of conviction, certified to by the clerk of the court entering the conviction, shall be conclusive evidence;

(g) Use of any untruthful or deceptive or improbable statement concerning the licensee's qualifications or effects or results of his proposed treatment;

(h) Distribution by prescribing, dispensing, furnishing, or supplying of controlled substances to any person or patient for any reason other than a legitimate medical purpose;

(i) Gross malpractice or repeated malpractice or gross negligence in the practice of medicine;

(j) Division of fees or agreement to split or divide the fees received for professional services with any person for bringing or referring a patient;

(k) Performance of unnecessary diagnostic tests or medical or surgical services;

(l) Charging fees determined by the Commission to be grossly excessive or intentionally filing or causing to be filed false or fraudulent claims, as defined by the Commission, for medical or surgical services to any private or government third party payor having a legal or contractual obligation to pay such claims on behalf of a patient;

(m) Aiding or abetting the practice of medicine by any person not licensed by the Commission;

(n) Conviction of fraud in filing Medicare or Medicaid claims or conviction of fraud in filing claims to any third-party payor; a copy of the record of conviction, certified to by the clerk of the court entering the conviction, shall be conclusive evidence;

(o) Any disciplinary action taken by another state against a license to practice medicine, based upon acts by the licensee similar to acts described in this section; a certified copy of the record of the disciplinary action of the state making such an action is conclusive evidence thereof;

(p) Refusal to appear before the Board of Medical Examiners after having been formally requested to do so in writing by the Executive Director of the Board;

(q) Making any fraudulent or untrue statement to the Commission or to the Board of Medical Examiners;

(r) The termination, revocation, probation, restriction, denial, failure to renew, suspension, reduction or resignation of staff privileges of a licensee by a hospital in this or any other state when such action is related to negligence or incompetence in the practice of medicine, moral turpitude, sexual misconduct, abusive or disruptive behavior, or drug or alcohol abuse;

(s) Being unable to practice medicine with reasonable skill and safety to patients by reason of illness, inebriation, excessive use of drugs, narcotics, alcohol, chemicals or any other substance, or as a result of any mental or physical condition.

(i) When the issue is whether or not a doctor is competent or physically or mentally capable of practicing medicine with reasonable skill and safety to patients, then, upon a showing of probable cause to the Commission that the doctor is not competent or capable of practicing medicine with reasonable skill and safety to patients, the Commission may order and direct the doctor in question to submit to physical, mental, laboratory, or diagnostic examination or testing, or any combination of such examinations or testing, to be performed by a physician or other healthcare professional designated by the Commission or by the Board of Medical Examiners. The expense of such examination shall be borne by the physician who is so examined.

(ii) Every physician licensed to practice medicine in the State of Alabama who accepts the privilege of practicing medicine in Alabama by actually practicing or by the making and filing of an annual registration to practice medicine shall be deemed to have given his or her consent to submit to a mental, physical, laboratory, or diagnostic examination or testing, or to any combination of such examinations or testing, and to waive all objections to the admissibility of the examining physician's or healthcare professional's testimony, examination reports, or diagnostic reports on the ground that they constitute privileged doctor-patient communications.

(iii) Upon certification by the Board of Medical Examiners that a physician has failed to comply with an order of the Board of Medical Examiners issued pursuant to ~~Code of Ala. 1975, Section~~ Code §34-24-360(19) (d) the Commission shall summarily suspend such physician's license. Such suspension shall continue in effect until such time as the physician complies with the order of the Board or the order is withdrawn by the Board or the order is terminated by the Commission after a hearing.

(iv) All reports, records, and documents obtained by the Board pursuant to an order authorized by ~~section Ala.~~ Code §34-24-360(19) (d) and introduced as evidence in any hearing conducted by the Commission are privileged and confidential and shall not be public records nor available for court subpoena or for discovery proceedings.

(v) A physician whose license to practice medicine has been suspended by the Commission under the authority of subparagraph (iii) above may obtain judicial review in

accordance with the provisions of Sections 41-22-20 and 34-24-367.

(t) Being unable to practice medicine with reasonable skill and safety to patients by reason of a demonstrated lack of basic medical knowledge or clinical competency.

(i) Upon certification by the Board of Medical Examiners that a physician has failed to comply with an order of the Board of Medical Examiners issued pursuant to ~~Code of Ala. 1975, Section Code~~ §34-24-360(20) (a) the Commission shall summarily suspend such physician's license. Such suspension shall continue in effect until such time as such physician complies with the order of the Board or the order is withdrawn by the Board or the order is terminated by the Commission after a hearing.

(ii) A physician whose license to practice medicine has been summarily suspended under the authority of subparagraph ~~2-(15) (t) (i)~~ above may obtain judicial review in accordance with the provisions of Sections 41-22-20 and 34-24-367.

(iii) Any physician whose certificate of qualification and license to practice medicine has been restricted by the Board of Medical Examiners under the authority of ~~Code of Ala. 1975, Section Code~~ §34-24-360(20) (e) may request a hearing before the Commission. At such hearing it shall be the burden of the Board to demonstrate to the reasonable satisfaction of the Commission that the restriction or restrictions are consistent with the findings of the examination or evaluation ordered by the Board pursuant to ~~Code of Ala. 1975, Section Code~~ §34-24-360(20) (b). All such hearings shall be conducted on an expedited basis and any restrictions ordered by the Board shall not be stayed by the Commission during the pendency of the hearing. The Commission may consider, in any hearing resulting from a decision of the Board to impose a restriction or restrictions on the certificate of qualification and license to practice medicine of the physician in question, the results of all examinations or evaluations of basic knowledge or clinical competency upon which the Board relied and such other evidence as the Commission deems relevant to the issues presented. In rendering a decision, the Commission is authorized to affirm the restriction or restrictions, to modify the restriction or restrictions, or to order the removal of the restriction or restrictions.

(iv) A physician adversely affected by a decision of the Commission resulting from a hearing under the preceding subparagraph ~~(15)~~ (t) (iii) may obtain judicial review in accordance with the provisions of Sections 41-22-20 and 34-24-367.

(v) The Commission may, within its discretion, revoke or suspend the license to practice medicine of a physician who fails to abide by or who violates a restriction or restrictions imposed by the Board, or as modified by the Commission, on the certificate of qualification and license to practice medicine of the physician in question, or it may impose administrative fines or other penalties as authorized by Sections 34- 24-361 and 34-24-381.

(u) Excessive prescribing, dispensing, furnishing or supplying of a ~~schedule~~ Schedule II controlled substance. A physician violates this section if he or she prescribes, orders, dispenses, administers, supplies or otherwise distributes any Schedule II amphetamine or Schedule II amphetamine like anorectic drug or Schedule II sympathomimetic amine drug or compound thereof, or any salt, compound, isomer, derivative or preparation of the foregoing which are chemically equivalent thereto, or other nonnarcotic Schedule II stimulant drug, which drugs or compounds are classified under ~~schedule~~ Schedule II of the Alabama Uniform Controlled Substances Act, ~~Section~~ Ala. Code §20-2-24, to any person except for the therapeutic treatment of:

(i) Narcolepsy.

(ii) Hyperkinesis.

(iii) Brain dysfunction of sufficiently specific diagnosis or etiology which clearly indicates the need for these substances in treatment or control.

(iv) Epilepsy.

(v) Differential psychiatric evaluation of clinically significant depression; provided, however, that such treatment shall not extend beyond a period of 30 days unless the patient is referred to a licensed practitioner specializing in the treatment of depression.

(vi) Clinically significant depression shown to be refractory to other therapeutic modalities; provided, however, that such treatment shall not extend beyond a period of 30 days unless the patient is referred to a

licensed practitioner specializing in the treatment of depression; or for the clinical investigation of the effects of such drugs or compounds, in which case an investigative protocol must be submitted to and reviewed and approved by the State Board of Medical Examiners before the investigation has begun.

(v) A physician prescribing, ordering or otherwise distributing the controlled substances listed above in the manner permitted by subsection (u) above shall maintain a complete record which must include documentation of the diagnosis and reason for prescribing, the name, dose, strength, and quantity of the drug, and the date prescribed or distributed. The records required under this subsection shall be made available for inspection by the certifying board or its representative upon request. Those Schedule II stimulant drugs enumerated above shall not be dispensed or prescribed for the treatment or control of exogenous obesity.

(w) Failure to maintain for a patient a medical record which meets the minimum standards stated in the rules and regulations promulgated by the Commission.

(x) The violation of ~~134-24-57, Code of Ala. 1975~~ Code §34-24-57, in that the licensee, who, during the preceding three (3) year period has had two or more final judgments or settlements, or has had a total of three or more final judgments or settlements, or both, resulting from a claim or action for damages for personal injuries caused by an error, omission or negligence in the performance of medical professional services, or in the performance of medical professional services without consent.

(y) Practicing medicine in violation of the provisions of the Infected Health Care Worker Management Act, Act 93- 846.

(z) Failure to comply with any rule of the Board of Medical Examiners or Medical Licensure Commission.

Author: ~~Alabama Board of Medical Examiners, Wallace D. Mills~~ Licensure Commission

Statutory Authority: Code of Ala. 1975, §§34-24-57, 34-24-360, 34-24-381, 34-24-382.

History: Filed May 6, 1983. **Repealed and new rule adopted in lieu thereof:** Filed May 1, 1984. **Amended:** Filed September 25, 1986. **Amended:** Filed January 26, 1994; effective March 3, 1994. **Amended:** Filed March 4, 2003; effective April 8, 2003. **Amended:** Filed April 29, 2005; effective June 3, 2005. **Amended:** Filed April 28, 2006; effective June 2, 2006. **Amended:** Filed November 30, 2007; effective January 4, 2008. **Amended:** Filed May 5, 2010; effective June 9, 2010. **Amended:** Filed April 5, 2011; effective

May 10, 2011. **Amended:** Filed November 26, 2014; effective
December 31, 2014. **Amended:** Filed December 10, 2018; effective
January 24, 2019. **Amended:** Published October 29, 2021; effective
December 13, 2021. **Amended:** Published _____ ; effective _____ .

Brian Richardson, M.D.

May 5, 2026

Medical Licensure Commission of Alabama

Attn: Rebecca Robbins, Director of Operations

848 Washington Avenue
Montgomery, Alabama 36104

Re: Public Comment on Proposed Revisions to Ala. Admin. Code rr. 545-X-3-.03, 545-X-3-.08, 545-X-4-.06, and 545-X-4-.10 (noticed at the Commission's February 25, 2026 meeting)

Dear Members of the Commission:

I am writing to comment on the proposed revisions to Rules 545-X-3-.03, 545-X-3-.08, 545-X-4-.06, and 545-X-4-.10. Several provisions, as drafted, reach further than the Commission's enforcement aims require, and they should be narrowed before adoption.

Five things in particular need attention: proof of delivery or statutory service compliance before default; no per-word charge on the filings a respondent uses to defend a license; notice and a reasonable opportunity to cure before citation defects become disciplinary matters; protection for good-faith reporting and petitioning activity; and a clear limiting principle for the proposed "general public" language. What follows addresses the rule text itself, not any individual case.

I. Rule 545-X-4-.06 — Unprofessional Conduct

Expanding "unprofessional conduct" to include acts detrimental or harmful to "the health, safety, and welfare of the patient or of the general public" is too broad. The phrase has no limiting principle. Read literally, "general public" could include speech, litigation activity, public criticism, reporting activity, or private conduct with no meaningful relationship to medical practice.

A clearer standard preserves the Commission's reach over conduct that genuinely implicates licensure while avoiding unnecessary disputes about scope. Suggested language:

Unprofessional conduct includes conduct that (a) is materially related to medical licensure, current fitness to practice, patient safety, honesty or trustworthiness in professional dealings, or the safe and ethical practice of medicine; and (b) is detrimental or harmful to the health, safety, and welfare of a patient or the public.

The proposed amendments also remove "intentionally" and "willfully" from several fraud-type grounds, leaving only "knowingly." Alabama law treats those mental states as meaningfully

different. See Ala. Code § 13A-2-2. Those criminal-law definitions do not control professional discipline, but they make the same point this rule should make: a clinician who is mistaken is not a clinician who is committing fraud.

False records, false statements about other physicians, and false advertising are serious things, and the Commission should retain authority to address them. But the rule should distinguish intentional deception from honest mistake, reliance on counsel, pro se error, professional judgment, or correction after notice. If “knowingly” remains the floor, the rule should at least include a good-faith defense making clear that error, judgment, correction, or reasonable reliance does not become fraud-type misconduct without proof of intentional deception. That keeps intentional misconduct fully reachable while preserving the fair process and proportionality reflected in AMA Code of Medical Ethics Opinions 9.4.1 and 9.4.3.

II. Proposed Subsection (23)

Subsection (23) is aimed at protecting investigations and contested proceedings from false statements, falsified records, destroyed evidence, obstruction, intimidation, and retaliation. The problem is that several of its provisions regulate by broad category instead of by the specific misconduct involved.

The false-statement provision should focus on knowingly false material statements made to the Board or Commission, or made elsewhere and later relied upon in a Board or Commission matter. It should not sweep in good-faith legal positions, pleadings, good-faith reports, or protected communications absent proof, after notice and an opportunity to be heard, that a statement was both knowingly false and material.

Alabama law already supports that narrower approach. Ala. Code § 34-24-361(b) immunizes good-faith reports made to the Board or Commission, and § 34-24-361(i) makes complaints submitted for hearing before the Commission, and testimony with respect thereto, absolutely privileged. Alabama tort law also recognizes an absolute privilege for relevant communications made in judicial proceedings. See *O’Barr v. Feist*, 296 So. 2d 152, 156–57 (Ala. 1974). None of these provisions immunizes knowingly false material statements. They reflect a public-policy judgment against chilling good-faith participation in regulatory or judicial processes. Subsection (23) should incorporate that same judgment.

The records-falsification provision needs the same kind of tightening. A physician should not falsify, alter, or destroy records when a Board or Commission investigation, contested case, or formal proceeding is pending, threatened, or reasonably anticipated. However, “reason to believe,” standing alone, is too open-ended; it imposes a preservation duty based on speculation that a record might someday become relevant. The trigger should be explicit.

The harassment, intimidation, obstruction, and retaliation language also creates a concerning issue. Participants in those proceedings should be protected from that improper conduct. But the proposed text reaches further, sweeping in conduct whose “reasonably foreseeable” result is to “coerce, obstruct, or otherwise interfere” with participation in a Board or Commission matter.

That standard reaches too far. Lawful advocacy is sometimes uncomfortable. A judicial-review petition criticizing a regulator or investigator, a nonfrivolous administrative or civil complaint against a participant, a good-faith report to another authority, or truthful public comment on rulemaking or matters of public concern may burden or embarrass someone involved in the process. None of that is the same as threatening a witness, coercing testimony, destroying evidence, or obstructing an investigation.

This is not an argument that protected petitioning immunizes threats, obstruction, or knowingly false statements. The argument is that a “reasonably foreseeable result” standard could judge protected advocacy by its effect on a participant rather than by the physician’s actual intent. Petitioning, judicial-review filings, truthful public comment, and good-faith reporting may also implicate protections recognized by the First Amendment and Article I, §§ 4 and 25 of the Alabama Constitution.

A specific-intent standard solves this. One proposed formulation:

Intentionally threatening, intimidating, coercing, obstructing, or retaliating against any participant in a Board or Commission investigation or proceeding because of that participant’s role in the matter. “Participant” includes a complainant, witness, party, counsel, Board or Commission employee, investigator, expert, evaluator, program representative, or other person involved in the investigation or proceeding. This provision does not apply to protected petitioning activity, judicial-review filings, truthful public comment, good-faith reporting, or the nonfrivolous use of civil, administrative, or criminal process unless the Commission proves specific intent to threaten, intimidate, coerce, obstruct, or retaliate.

The legal-citation provision should be tightened along similar lines. Keeping fabricated authority out of contested cases is a legitimate goal, especially now that we recognize that generative AI tools can produce nonexistent cases or inaccurate quotations. But the rule should target knowing fabrication, not ordinary citation error, corrected filings, withdrawn arguments, miscitation, or pro se mistake.

Alabama Rule 11 already imposes duties on parties who sign pleadings, motions, and other papers, but unlike Federal Rule 11(c)(2) it has no explicit 21-day notice-and-cure safe harbor. See Ala. R.

Civ. P. 11. The proposed rule goes further by creating professional-discipline exposure for citation defects without prior notice or a reasonable chance to correct the filing. A narrower formulation would target the actual concern:

Knowingly submitting fabricated or nonexistent legal authority after written notice and a reasonable opportunity to withdraw or correct the filing.

If the Commission wants to address the underlying problem without converting ordinary citation mistakes into disciplinary exposure, a filing-certification approach would do it:

I certify that I have reviewed this filing and that all legal citations, quotations, and statements of law have been checked for accuracy against reliable legal sources. I further certify that, if generative artificial intelligence was materially used in preparing or researching this filing, its output was not relied upon without independent human verification.

III. Rule 545-X-3-.08 — Hearing Officer, Discipline, and Cost Provisions

The proposed \$0.50-per-word assessment on respondent filings is the part of these revisions I would most urge the Commission to reconsider. I do not object to reasonable filing controls, or to sanctions for filings that turn out, after notice and a chance to respond, to be frivolous, dilatory, or filed in bad faith. But a standing per-word charge on the filings a respondent uses to defend a license is a different kind of mechanism altogether.

The rulemaking record should identify any comparable Alabama agency, federal administrative forum, or peer-state professional-licensure body that imposes a standing word limit and per-word charge on the filings used to defend a professional license, along with the empirical basis for the \$0.50 figure. If no such authority or analysis is in the record, that absence by itself is reason for caution.

The statutory fit is at minimum unclear. Section 34-24-381(a) authorizes administrative fines for violations of § 34-24-360 or Commission rules. Section 34-24-381(b) authorizes recovery of costs, fees, and expenses only on Board application, after a finding of violation, and for costs incurred in proceedings before the Commission. Section 34-24-361(h)(3) likewise treats cost-shifting as a post-adjudication remedy available only “if the commission finds that a physician or osteopath is guilty.”

A per-word charge on respondent filings is not a fine for adjudicated misconduct. It is not a documented prosecution cost. It is measured by defensive filings made before any finding of guilt, without proof that those words caused any actual prosecution cost, and it risks penalizing the very filings a respondent must submit to preserve a defense.

The practical effect is what is most worrisome. A medical license is a protected interest, and defending one is already financially and professionally demanding. Charging a respondent by the word for the filings used to defend that license can chill access to a meaningful hearing, particularly for physicians who are unrepresented or responding to complex allegations. See *Bell v. Burson*, 402 U.S. 535, 539 (1971); *Barry v. Barchi*, 443 U.S. 55, 64–65 (1979); *Mathews v. Eldridge*, 424 U.S. 319 (1976).

Striking the per-word charge does not leave the Commission without tools. Page limits, word limits, leave-of-Hearing-Officer requirements, post-adjudication actual-cost recovery, and Rule 11-style sanctions for bad-faith filings all address excessive or improper filings without putting a one-sided financial burden on the licensee defending the case.

The proposed 30% increase in the in-house Board attorney rate is a related issue. If that rate may later be shifted to a respondent, the basis for the increase belongs in the record. The rulemaking record should explain why the current rate is inadequate, how the new rate was calculated, and what objective benchmark supports it, and should include a fee study, inflation analysis, or public benchmark; if none is present, that absence weighs against adoption.

If the Commission keeps the increase, it should require contemporaneous billing records, a finding that the fees were necessary and reasonable, proportionality review, and exclusion of fees incurred on unsuccessful, unnecessary, duplicative, or excessive prosecution work. Any increase should also be tied to an objective public benchmark — documented state-agency compensation data, published inflation data, or another publicly identified cost basis.

IV. Rules 545-X-4-.10 and 545-X-3-.03 — Service and Default

Service in Commission proceedings should stay anchored to Ala. Code § 34-24-361(e)(3)–(5) and the Alabama Administrative Procedure Act’s contested-case notice requirements at § 41-22-12. Section 34-24-361(e)(3) requires service “at least 20 days prior to the hearing date.” Subsection (e)(4) authorizes service “by any sheriff of the State of Alabama or by any person designated by the executive officer of the commission,” with sworn return. Subsection (e)(5) permits mail service only “if the physician or osteopath ... is out of the state, or evades service, or cannot be served in person.”

Mail service is fine when those statutory conditions are met. The problem is treating service as complete on mailing or deposit alone, without any proof of delivery and without satisfying subsection (e)(5).

That problem gets worse when paired with proposed Rule 545-X-3-.03(6)(c), which treats failure to answer as an admission of proper service. The sequence is straightforward: notice is mailed and

deemed perfected; a respondent who never receives it cannot answer; the failure to answer is then treated as an admission that service was proper; and the Commission can proceed toward default.

That sequence is hard to reconcile with *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950), *Jones v. Flowers*, 547 U.S. 220 (2006), and basic administrative due process. The point is not whether respondents should be able to evade service; they should not. The point is whether nonreceipt should be converted into an admission of valid service before the record shows delivery or statutory service compliance. Before any default or waiver based on nonresponse, the record should reflect proof of delivery or statutory service compliance. The rules should also make clear that a respondent who never received notice does not waive service objections by failing to answer.

Using a Board investigator as the process server is a separate, avoidable problem. If the same investigator later testifies about service, or about other facts in the case, the Commission has built an evidentiary and conflict issue into the record from the start. Alabama Rule 4's civil-process framework generally requires a designated process server to be at least 19, not a party to the action, and not related within the third degree by blood or marriage to the party seeking service. See Ala. R. Civ. P. 4(i)(1)(B). Section 34-24-361(e)(4) does authorize service by a person designated by the Commission's executive officer, so investigator service may be statutorily permitted. Even so, an investigator who may also be a witness in the same proceeding creates a dual-role problem that does not need to exist. Either keeping the Alabama Rules of Civil Procedure framework or, at minimum, requiring service by a neutral process server preserves the Commission's ability to reach respondents while removing an unforced source of disputes.

V. Cumulative Effect

Considered together, the proposed revisions also share a structural feature worth pointing out; each of the new burdens runs in only one direction. The per-word charge, the citation defect exposure, failure to answer admission, the attorney fee rate increase, and the broadened harassment and interference language all create new costs, new procedural defaults, or new disciplinary exposure for the physician. None imposes a comparable obligation, cost, or consequence on Board or Commission counsel, Board investigators, or the prosecution function. A regulatory framework in which only one party bears the risk of error, nonreceipt, citation mistakes, or aggressive tactics is harder to defend as fair process. Symmetry is not required in every provision, but the cumulative asymmetry here is itself a reason to narrow the proposed text.

VI. Requested Action

I would ask the Commission to consider the following targeted revisions before final adoption:

1. Add a limiting principle to the “general public” language, tying it to medical licensure, current fitness to practice, patient safety, honesty or trustworthiness in professional dealings, or the safe and ethical practice of medicine.
2. Preserve intentional or willful mental-state protections for fraud-type grounds, or at minimum add a reasonable good-faith defense for mistake, reliance on counsel, pro se error, professional judgment, and correction after notice.
3. Narrow proposed subsection (23) by requiring knowing material falsity, protecting privileged and good-faith legal positions, adding notice and cure for citation defects, and adopting either a specific-intent standard or express carve-outs for protected petitioning, judicial review, truthful public comment, good-faith reporting, and nonfrivolous use of lawful process.
4. Add a good-faith reporter shield consistent with Ala. Code § 34-24-361(b).
5. Strike the \$0.50-per-word charge, or replace it with page or word limits, leave requirements, post-adjudication actual-cost recovery, and sanctions for bad-faith filings.
6. Conform service and default rules to Ala. Code § 34-24-361(e)(3)–(5), require proof of delivery or statutory service compliance before default, and make clear that nonreceipt does not waive service objections.
7. Tie any attorney-fee rate increase to contemporaneous billing records, necessity findings, proportionality review, and an objective public benchmark.

None of these changes would prevent the Commission from addressing intentional misconduct or protecting patients. They would help ensure that discipline stays tied to clear notice, fair process, and statutory authority, and reaches only conduct that genuinely implicates the practice of medicine. Clarifying these provisions now will also make the final rules easier to administer in contested cases.

Thank you for your time and consideration. Please enter this letter into the public-comment record for each of the four proposed rules.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brian Richardson" with "M.D." written below it.

Brian Richardson, M.D.

cc: Aaron L. Dettling, General Counsel, Medical Licensure Commission



EXHIBIT
D

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: May 21, 2026
Re: Administrative Rules Approved for Publication

The Board of Medical Examiners, at its meeting May 21, 2026, approved the following rule to be published for public comment in the *Alabama Administrative Monthly*:

- Administrative Rule 540-X-1-.03, *Meetings of the Board*

The proposed rule amendment formally adopts the Sturgis Standard Code of Parliamentary Procedure as the basic procedure for meetings of the Alabama Board of Medical Examiners when exercising its statutory and administrative duties in the absence of a specific procedural law or rule.

With an expected publication date of June 30, 2026, the public comment period ends August 4, 2026. The anticipated effective date is October 15, 2026.

Attachments:

- Administrative Rule 540-X-1-.03, *Meetings of the Board*

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 540
Department or Agency: Alabama Board of Medical Examiners
Rule No.: 540-X-1-.03
Rule Title: Meetings Of The Board
Intended Action: Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Date

ALABAMA BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners
RULE NO. & TITLE: 540-X-1-.03 Meetings Of The Board
INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Formally adopts the Sturgis Standard Code of Parliamentary Procedure as the basic procedure for meetings of the Board when exercising its statutory and administrative duties in the absence of a specific procedural law or rule.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

All interested persons may submit data, views, or arguments concerning the proposed new rule(s) and regulation(s) in writing to: Effie Hawthorne, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or email (publiccomment@albme.gov), until and including August 4, 2026. Persons wishing to submit data, views, or comments in person should contact Effie Hawthorne by telephone (334-242-4116) during the comment period. Copies of proposed rules may be obtained at the Board's website: www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, August 4, 2026

CONTACT PERSON AT AGENCY:

Effie Hawthorne -
ehawthorne@albme.gov

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

Meetings Of The Board.

- (1) The Board shall hold regularly scheduled meetings.
- (2) Special meetings may be called at the request of the chairman.
- (3) At least six members of the Board shall constitute a quorum and as such shall be competent to act.
- (4) The executive director or his or her designee shall keep a record of all meetings. The place of each meeting of the Board, names of the members present, all official acts of the Board, and the votes shall be recorded in the minutes. The minutes shall be presented for approval or amendment at the next regular meeting, which upon approval will be signed and each page initialed by the chairman. The minutes, not including any section relating to the good name or character of an individual, shall be open to public inspection.
- (5) All meetings of the Board, not including any part relating to the good name or character of an individual, shall be open and public. All reports of investigations; documents subpoenaed by the Board; reports of any investigative committee appointed by the Board; memoranda of the Board's counsel relating to investigations; statements of persons interviewed by the Board or any committee of the Board; all information, interviews, reports, statements or memoranda of any kind furnished to the Board or any committee of the Board; and any findings, conclusions or recommendations resulting from proceedings of the board or any committee of the Board, unless presented as evidence at a public hearing, shall be privileged and confidential, shall be used only in the exercise of the proper functions of the Board, and shall not be public records nor be available for court subpoena or for discovery proceedings. Meetings of the Board in which any of the aforementioned items are received, reviewed, deliberated, voted on, or acted on by the Board shall be closed sessions, and any report or recording of the meeting shall be privileged and confidential.
- (6) Meetings of the Board are governed by Sturgis Standard Code of Parliamentary Procedure and/or any amendments adopted by the Board and are incorporated into these rules as if fully set forth herein. The Sturgis Standard Code of Parliamentary Procedure shall provide the basic procedure for meetings of the Board when it exercises its statutory and administrative duties in the absence of a specific procedural law or rule.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §§6-5-533, 34-24-53, 34-24-58, 41-22-9; Ala. Act No. 2021-100.

History: Filed November 9, 1982. **Readopted:** Filed February 8, 1983. **Amended:** Filed August 22, 2002; effective September 26, 2002. **Amended:** Filed April 16, 2019; effective May 31, 2019. **Amended:** Published November 30, 2021; effective January 14, 2022. **Amended:** Published ; effective .



EXHIBIT
E

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: May 21, 2026
Re: Administrative Rules Approved for Publication

The Board of Medical Examiners, at its meeting May 21, 2026, approved the following rule to be published for public comment in the *Alabama Administrative Monthly*:

- Administrative Rule 540-X-1-.04, *Executive Director*

The proposed rule amendment authorizes the Executive Director to approve applications for registration, requests to train, skill requests, Qualified Alabama Controlled Substances Certificates, and Limited Schedule II Permits for physician assistants and anesthesiologist assistants when the aforementioned are considered within protocol and/or with no variation.

With an expected publication date of June 30, 2026, the public comment period ends August 4, 2026. The anticipated effective date is October 15, 2026.

Attachments:

- Administrative Rule 540-X-1-.04, *Executive Director*

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 540
Department or Agency: Alabama Board of Medical Examiners
Rule No.: 540-X-1-.04
Rule Title: Executive Director
Intended Action: Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Date

ALABAMA BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-1-.04 Executive Director

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Formalize the Executive Director's authority to approve applications for registration, requests to train, skill requests, Qualified Alabama Controlled Substance Certificates, and Limited Schedule II Permits for physician assistants and anesthesiologist assistants when the aforementioned are considered within protocol and/or with no variation.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

All interested persons may submit data, views, or arguments concerning the proposed new rule(s) and regulation(s) in writing to: Effie Hawthorne, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or email (publiccomment@albme.gov), until and including August 4, 2026. Persons wishing to submit data, views, or comments in person should contact Effie Hawthorne by telephone (334-242-4116) during the comment period. Copies of proposed rules may be obtained at the Board's website: www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, August 4, 2026

CONTACT PERSON AT AGENCY:

Effie Hawthorne
ehawthorne@albme.gov

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

Executive Director.

(1) The Board shall employ a qualified individual to serve as Executive Director, whose duties, responsibilities and compensation shall be set by the Board.

(2) The Board may, from time to time, direct that the Executive Director perform, execute or carry out specific duties on behalf of the Board. The Executive Director may delegate duties to the Associate Executive Director.

(3) The Executive Director and the Associate Executive Director are authorized by the Board to perform, execute or carry out on behalf of the Board duties including, but not limited to the following:

(a) Sign interim confidential orders, including orders for urine/blood drug screens, for psychiatric, psychological and neuropsychological evaluations, for professional sexual misconduct evaluations, for any physical examination/evaluation, for any mental examination/evaluation, for any laboratory examination/evaluation, for chemical dependency evaluations, for release of evaluation/examination records, for testing for medical knowledge, for evaluation of clinical competency, and orders for obtaining continuing medical education relating to prescribing practices.

(b) Sign subpoenas and subpoenas duces tecum.

(c) Sign administrative complaints, orders to show cause, and notices of hearings.

(d) Sign letters of concern.

(e) Sign letters requesting that a physician attend an interview with the Board.

(f) Approve applications for registration by physician assistants and anesthesiologist assistants when the registration is within protocol.

(g) Approve requests to train physician assistants and anesthesiologist assistants and skill requests submitted by the supervising physician when the requests are within protocol.

(h) Approve the issuance of a Qualified Alabama Controlled Substance Certificate to a physician assistant when all requirements for issuance are met and no request has been made for a variance.

(i) Approve the issuance of a Limited Purpose Schedule II Permit to a physician assistant when all requirements for issuance are met and no request has been made for a variance.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §34-24-53.

History: Filed November 9, 1982. **Readopted:** Filed February 8, 1983. **Amended:** Filed June 26, 2003; effective July 31, 2003.

Amended: Filed September 17, 2015; effective October 22, 2015. __

Amended: Published _____ ; effective _____ .



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: May 21, 2026
Re: Administrative Rules Approved for Publication

The Board of Medical Examiners, at its meeting May 21, 2026, approved the following rule to be published for public comment in the *Alabama Administrative Monthly*:

- Administrative Rule 540-X-1-.20, *Credentials Committee*

The proposed rule captures the traditional membership, duties, roles, and responsibilities of the Credentials Committee. This rule also articulates the powers and duties of the Credentials Committee in its investigative role and in reviewing medical malpractice cases. The rule codifies our legal understanding of the Credentials Committee's role as a peer review committee when performing certain investigative functions and sets forth the Board's oversight role to serve as a higher level of peer review over and beyond what occurs at hospitals. This rule articulates a legal basis inherent in existing law permitting the Board to obtain certain confidential information to fulfill its statutory duties to protect the public.

With an expected publication date of June 30, 2026, the public comment period ends August 4, 2026. The anticipated effective date is October 15, 2026.

Attachments:

- Administrative Rule 540-X-1-.20, *Credentials Committee*

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 540
Department or Agency: Alabama Board of Medical Examiners
Rule No.: 540-X-1-.20
Rule Title: Credentials Committee
Intended Action: New

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Date

ALABAMA BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners
RULE NO. & TITLE: 540-X-1-.20 Credentials Committee
INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

All interested persons may submit data, views, or arguments concerning the proposed new rule(s) and regulation(s) in writing to: Effie Hawthorne, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or email (publiccomment@albme.gov), until and including August 4, 2026. Persons wishing to submit data, views, or comments in person should contact Effie Hawthorne by telephone (334-242-4116) during the comment period. Copies of proposed rules may be obtained at the Board's website: www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, August 4, 2026

CONTACT PERSON AT AGENCY:

Effie Hawthorne
ehawthorne@albme.gov

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

Credentials Committee.

(1) The chairman shall annually appoint not less than three (3) members of the Board to serve on the Credentials Committee. Members may be appointed to or removed from the Credentials Committee in the chairman's discretion. The chairman may serve as a member of the Credentials Committee. The chairman or his or her designee shall preside as a voting member of the Credentials Committee.

(2) The Credentials Committee shall hold regularly scheduled meetings. Special meetings may be called by the chairman or his or her designee.

(3) Meetings of the Credentials Committee shall be governed by Sturgis Standard Code of Parliamentary Procedure and/or any amendments adopted by the Board. A quorum of the Credentials Committee shall be competent to act.

(4) All meetings of the Credentials Committee, with the exception of any part relating to the good name or character of an individual, any part concerning an investigation, or any part made confidential by law or by rule, shall be open and public. All reports of investigations; documents subpoenaed by the Board or Credentials Committee; reports of any investigative committee appointed by the Board or Credentials Committee; memoranda of the Board's counsel relating to investigations; statements of persons interviewed by the Board or any committee of the Board; all information, interviews, reports, statements or memoranda of any kind furnished to the Board, the Credentials Committee, or any committee of the Board; and any findings, conclusions or recommendations resulting from proceedings of the Board, the Credentials Committee, or any committee of the Board, unless presented as evidence at a public hearing, shall be privileged and confidential, shall be used only in the exercise of the proper functions of the Board and Credentials Committee, and shall not be public records nor be available for court subpoena or for discovery proceedings. Meetings of the Board or Credentials Committee in which any of the aforementioned items are received, reviewed, deliberated, voted on, or acted on by the Board or Credentials Committee shall be closed sessions, and any report or recording of the meeting shall be privileged and confidential.

(5) The purpose of the Credentials Committee is to consider and propose a recommendation for action regarding all business, investigations, and matters to be considered by the Board. The matters to be reviewed shall include, but are not limited to, the following:

(a) Applications for licenses, registrations, and collaborative agreements;

(b) New and amended administrative rules;

(c) Requests for opinions concerning certain aspects of medical practice and requests for a declaratory ruling;

(d) Personnel;

(e) Investigative reports;

(f) Compliance reports;

(g) Monitoring reports;

(h) Correspondence with the Board;

(i) Legal proceedings and filings; and

(j) Any and all other business that may be conducted by the Board.

(6) The Credentials Committee may do any of the following to perform the duties assigned to it by the Board:

(a) Conduct interviews of physicians and any other person formally invited by the Board;

(b) Conduct investigations and hold investigative hearings;

(c) Provide expert review of medical records;

(d) Conduct an annual review of all reports made to the Board under Ala. Code § 34-24-56 concerning a final judgment or settlement made in a medical malpractice claim and carry out the duties required of the Board under Ala. Code § 34-24-57; and

(e) Meet, deliberate, and do all such acts as may be necessary to carry out duties assigned to the Credentials Committee by the Board or chairman.

(7) Information furnished to the Board or Credentials Committee in response to a subpoena is privileged and confidential and does not constitute discovery. Production of privileged information pursuant to a Board-issued subpoena shall not be construed as a waiver of the peer review privilege in a later civil action in accordance with Ala. Code §§ 34-24-60(a)(1) and 34-24-361.1. The Board's investigations, including any actions by the Credentials Committee in furtherance of an investigation, shall constitute

peer review functions by the Board and are privileged under Ala. Code § 6-5-333.

(8) Whenever a report is made to the Board under Ala. Code § 34-24-59 concerning a disciplinary action taken against a physician, the Board may obtain information from the reporting entity identifying the witnesses, documents, medical records, and any other such information as may be deemed necessary by the Board to evaluate the basis for the action. The Board may utilize this information in a subsequent action to discipline the license of a physician. The delivery of privileged or confidential information, including materials produced pursuant to a peer review process, to the Board by a reporting entity shall not be construed as a waiver of any privilege held by the reporting entity and may not be used as a basis to discover any materials delivered to the Board in a civil action.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §§ 34-24-53, 34-24-58, 34-24-59, 34-24-60, 34-24-360.1, 34-24-361.1., 34-24-363, and 41-22-4.

History: New Rule: Published _____; effective _____.

EXHIBIT

G

The Alabama Court of Civil Appeals



SETH P. RHODEBECK
CLERK

300 DEXTER AVENUE
MONTGOMERY, ALABAMA 36104-3741
TELEPHONE 334-229-0733

LYNN DEVAUGHN
ASSISTANT CLERK

May 15, 2026

CL-2025-0871

James Curtis Dilday, M.D. v. Medical Licensure Commission of Alabama
(Appeal from Medical Licensure Commission of Alabama: 2023-118).

NOTICE

You are hereby notified that the following action was taken in the above cause by the Court of Civil Appeals:

Application for Rehearing Overruled. No opinion written on rehearing.

Moore, P.J., and Edwards, Hanson, Fridy, and Bowden, JJ., concur.

A handwritten signature in black ink, appearing to read "S.P. Rhodebeck".

Seth P. Rhodebeck, Clerk

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

v.

STEVEN MARK HAYDEN, M.D.,

Respondent.

EXHIBIT

H

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2025-205

ORDER

This matter is before the Medical Licensure Commission of Alabama on Respondent's "Request for Limited Supplementation/Correction of Administrative Record MLC Case No. 2025-205," filed via e-mail on May 26, 2026. In his motion, Respondent asks the Commission to supplement the administrative record in this matter to include "the July 17, 2025 public minutes of the Alabama State Board of Medical Examiners."

The Commission notes that the Alabama Court of Civil Appeals, on May 27, 2026 entered an order denying Respondent's request to that Court for substantially identical relief.

Upon consideration by the Commission, Respondent's motion is denied.

Commissioner Seale recused from and took no part in this matter.

DONE on this the 2nd day of June, 2026.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

**E-SIGNED by Jorge Alsip, M.D.
on 2026-06-02 10:52:29 CDT**

**Jorge A. Alsip, M.D.
its Chairman**

EXHIBIT

I

The Alabama Court of Civil Appeals



SETH P. RHODEBECK
CLERK

300 DEXTER AVENUE
MONTGOMERY, ALABAMA 36104-3741
TELEPHONE 334-229-0733

LYNN DEVAUGHN
ASSISTANT CLERK

May 22, 2026

CL-2025-0640

Brian E. Richardson, M.D. v. Alabama Medical Licensure Commission
(Appeal from Medical Licensure Commission of Alabama: 2024-205).

NOTICE

You are hereby notified that the following action was taken in the above cause by the Court of Civil Appeals:

Application for Rehearing Overruled. No opinion written on rehearing.

Moore, P.J., and Edwards, Hanson, and Bowden, JJ., concur.

Fridy, J., concurs in the result, without opinion.

A handwritten signature in black ink, appearing to read "S.P. Rhodebeck".

Seth P. Rhodebeck, Clerk

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

**RICHARD EDWIN JONES, III,
M.D.,**

Respondent.

EXHIBIT

J

**BEFORE THE MEDICAL
LICENSURE COMMISSION
OF ALABAMA**

CASE NO. 2022-318

ORDER

This matter is before the Medical Licensure Commission of Alabama on “Respondent’s Request to Remove Conditions of Probation and Reinstate License to Full and Unrestricted Status,” filed on April 14, 2026.

Respondent’s motion demonstrates that he has complied with all terms of probation as set out in Section V.4. of the Findings of Fact and Conclusions of Law entered on March 27, 2024. Respondent’s motion is not opposed by the Board.

For good cause shown, upon consideration by the full Commission, it is ordered that Respondent’s motion is granted, and that Respondent’s license to practice medicine and/or osteopathy in the State of Alabama is reinstated to full and unrestricted status.

DONE on this the 2nd day of June, 2026.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

**E-SIGNED by Jorge Alsip, M.D.
on 2026-06-02 10:50:45 CDT**

**Jorge A. Alsip, M.D.
its Chairman**

EXHIBIT

K

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

RICHARD LESLIE SAMPLE, D.O.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2026-192

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 May 20, 2026. The Board and the Respondent, Richard Leslie Sample, D.O. (“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 all 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 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. **Official Notice.** Pursuant to Ala. Code § 41-22-13(4), Respondent is informed that the Board and/or the Commission may at any time take official 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 27, 2005, having been issued license no. DO.898. Respondent was so licensed at all relevant times.

2. Respondent practices emergency medicine at Jackson Hospital & Clinic, located at 1725 Pine Street, Montgomery, Alabama.

3. Respondent admits that he currently serves as a collaborating physician for nine certified registered nurse practitioners (“CRNPs”), including Nikeya Betts, Lydia Bonner, Aryn Boswell, Jaime Carroll, Lisa Crumpton, Crystal Howard, Ashley Huggins, Elizabeth Jenkins, and Tiffany Smith. The collaborations,

identified as CP.30881, CP.35909, CP.33590, CP.26863, CP.37341, CP.36919, CP.35449, CP.37636, and CP.33262, respectively, were approved by the Board between October 20, 2021 and February 20, 2025.

4. Respondent admits that prior to the Board's approval of each collaboration, he submitted a Commencement of Collaborative Practice form wherein he certified that he had read and understood his responsibilities as a collaborating physician "according to the Alabama Board of Medical Examiners Rules Chapter 540-X-8, Advanced Practice Nursing: Collaborative Practice."

5. Respondent stipulates that a physician in a collaborative practice with a CRNP must complete a written standard protocol, approved and signed by both the collaborating physician and the CRNP, which specifies a plan for quality assurance management with defined quality outcome measures for evaluation of the clinical practice of the CRNP. *See Ala. Admin. Code r. 540-X-8-.08(5)(f)*. Respondent further stipulates that collaborating physicians must conduct quarterly quality assurance with each CRNP and complete documentation which shows the medical records selected for review, include a summary of findings, conclusions and, if indicated, recommendations for change, and maintain an updated copy of the plan for quality assurance on file with the Board. *See Ala. Admin. Code r. 540-X-8-.08(8)(g)*.

6. Respondent stipulates that the failure of a collaborating physician to comply with any statute or rule governing collaborative practice, or failure to maintain or produce for inspection upon request by the Board any documentation required to be maintained by the collaborative physician, is grounds for the termination of the approval of the Board of the collaborating practice of a physician. *See Ala. Admin. Code r. 540-X-8-.15.*

7. Respondent admits that he was not in compliance with the Board rules governing quality assurance at the time of the Board audit in February 2026.

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. 540-X-8-.08(5)(f) and 540-X-8-.08(8)(g) as alleged in Counts One, Two, Three, Four, and Five of the Administrative Complaint.

Order/Discipline

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

1. That pursuant to Ala. Code § 34-24-381(a), Respondent is assessed an administrative fine in the amount of one thousand dollars (\$1,000.00) for each of Counts One, Two, Three, Four, and Five, for a total administrative fine of five thousand dollars (\$5,000.00).

2. In accordance with Ala. Admin. Code r. 545-X-3-.08(8)(d)(i), (10), Respondent is ordered to pay the administrative fine within 30 days of this Order.¹

DONE on this the 2nd day of June, 2026.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Jorge Alsip, M.D.
on 2026-06-02 10:51:07 CDT

Jorge A. Alsip, M.D.
its Chairman

¹ 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). Failure to timely pay the assessed costs and fines may therefore form an independent basis for further disciplinary action against Respondent.

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

**HAGOP YAGHIA SARKISSIAN,
M.D.,**

Respondent.

EXHIBIT

L

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2026-151

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 May 6, 2026. The Board and the Respondent, Hagop Yaghia Sarkissian, 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 all 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 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. **Official Notice.** Pursuant to Ala. Code § 41-22-13(4), Respondent is informed that the Board and/or the Commission may at any time take official 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 through the Interstate Medical Licensure Compact since March 18, 2024, having been issued license no. MD.48464. Respondent was so licensed at all relevant times.

2. Respondent is contracted to practice internal medicine through Teladoc Health, located at 1945 Lakepointe Drive, Lewisville, Texas. Respondent practices telemedicine from his home, located at 13885 Siena Loop, Lakewood Ranch, Florida.

3. Respondent admits that he currently serves as a collaborating physician for certified registered nurse practitioner Christy Reid and physician assistants (“PA”) William Fallin, Amy Pickard, and Krystal McCain. The collaborations were approved by the Board between November 2024 and March 2026.

4. Respondent admits that Ms. McCain worked under his supervision at Signify Health, LLC from approximately June 2024 until January 2026 without having an active Board-approved registration agreement in place, constituting a violation of Ala. Admin. Code r. 540-X-7-.15.

5. Respondent admits that he was actively supervising four other PAs at Signify Health, namely, Elizabeth Eisenbeis, Matthew Chappell, Keyur Patel, and Garrett Martin, between October 2024 and March 20, 2026, without having active Board-approved registration agreements in place, constituting a violation of Ala. Admin. Code r. 540-X-7-.15.

6. Respondent admits that on March 20, 2026, Board staff notified him to cease practicing in collaboration with Ms. Eisenbeis, Mr. Chappell, Mr. Patel, and Mr. Martin until such time as he obtained active, Board-approved registration agreements with each of them.

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. 540-X-7-15 as alleged in Counts One, Two, Three, Four, and Five of the Administrative Complaint.

Order/Discipline

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

1. That pursuant to Ala. Code § 34-24-381(a), Respondent is assessed an administrative fine in the amount of five hundred dollars (\$500.00) for each of Counts One, Two, Three, Four, and Five, for a total administrative fine of two thousand five hundred dollars (\$2,500.00).

2. In accordance with Ala. Admin. Code r. 545-X-3-.08(8)(d)(i), (10), Respondent is ordered to pay the administrative fine within 30 days of this Order.¹

¹ 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

DONE on this the 2nd day of June, 2026.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Jorge Alsip, M.D.
on 2026-06-02 10:51:30 CDT

Jorge A. Alsip, M.D.
its Chairman

r. 545-X-4-.06(6). Failure to timely pay the assessed costs and fines may therefore form an independent basis for further disciplinary action against Respondent.

EXHIBIT

M

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

v.

EDWARD GERARD WITT, M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

**CASE NOS. 2026-026,
2026-056,
2026-114**

ORDER

This matter is before the Medical Licensure Commission of Alabama on Respondent's Voluntary Surrender of License dated May 4, 2026, and the Board's Motion to Dismiss, filed on May 26, 2026. As grounds for its Motion to Dismiss, the Board says that Respondent has executed a voluntary surrender of his certificate of qualification and license to practice medicine. The Board's stipulation that this matter be dismissed with prejudice is predicated upon Respondent's agreement not to seek reinstatement of his certificate of qualification or license to practice medicine in Alabama.

For good cause shown, therefore, the Commission accepts Respondent's Voluntary Surrender; the Board's Motion to Dismiss is granted; and the Administrative Complaint and Petition for Summary Suspension filed on March 30, 2026, is dismissed with prejudice.

DONE on this the 2nd day of June, 2026.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

**E-SIGNED by Jorge Alsip, M.D.
on 2026-06-02 10:54:30 CDT**

**Jorge A. Alsip, M.D.
its Chairman**

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

HESHAM A. HASSAN, M.D.,

Respondent.

EXHIBIT

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**BEFORE THE MEDICAL
LICENSURE COMMISSION
OF ALABAMA**

CASE NO. 2026-041

ORDER

This matter is before the Medical Licensure Commission of Alabama on Respondent's "Motion to Stay Enforcement of Summary Suspension of License and Agreement to License Restrictions," filed on May 8, 2026. In his motion, Respondent requests that the Commission set aside the summary suspension of his license to practice medicine and/or osteopathy in the State of Alabama ordered by the Commission on April 23, 2026. Respondent further consents to the entry of an Order placing certain restrictions on his license during the pendency of these administrative proceedings. The Board does not oppose Respondent's motion.

Upon consideration by the full Commission, Respondent's motion is granted, and the summary suspension ordered by the Commission on April 23, 2026 is vacated effective immediately. It is further ordered that the license to

practice medicine and/or osteopathy of the Respondent, Hesham A. Hassan, M.D.,

License No. MD.44644, is RESTRICTED as follows:

1. Respondent's medical practice is restricted to employment with QuickMD Telehealth, providing substance use disorder/MOUD treatment to patients via telemedicine.
2. Respondent shall have no physical contact or presence with patients, and shall communicate with patients solely through employer-provided devices, systems, and telehealth/EMR platforms. Respondent shall not contact any patients outside of these parameters and shall not use his personal phone or other forms of remote or in-person communication to communicate with any patient for any reason.
3. Respondent shall not seek or accept any other employment nor engage in any other practice of medicine and/or osteopathy in the State of Alabama without the prior express permission of the Commission.
4. The foregoing restrictions shall continue in full force and effect until the Commission enters its final decision in this matter, unless earlier modified by the Commission.

It is further ordered and directed that Respondent shall unconditionally consent to the disclosure and use of any and all evaluations of his fitness to practice medicine to and by the Board and Commission, including consent to the use of such materials in contested case proceedings before the Commission.

It is further ordered that the final evidentiary hearing in this matter, currently set to be held on Wednesday, June 24, 2026, is hereby continued and re-set for Wednesday, September 23, 2026, at 10:00 a.m.

DONE on this the 2nd day of June, 2026.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

**E-SIGNED by Jorge Alsip, M.D.
on 2026-06-02 10:53:14 CDT**

**Jorge A. Alsip, M.D.
its Chairman**