

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

November 19, 2025

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.
Paul M. Nagrodzki, M.D.
Nina Nelson-Garrett, M.D.
James R. Seale, Esq.

MEMBERS NOT PRESENT

Pamela Varner, M.D.

MLC STAFF

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

OTHERS PRESENT

BME STAFF

Buddy Chavez, Investigator
Julee Cranmore, Credentialing Specialist
Anthony Crenshaw, Investigator
Rebecca Daniels, Investigator
Amy Dorminey, Director of Operations
Alicia Harrison, Associate General Counsel
Greg Hardy, Investigator
Chris Hart, Technology
Effie Hawthorne, Associate General Counsel
Wilson Hunter, General Counsel
Roland Johnson, Physician Monitoring
Sally Knight, Physician Monitoring
Stephen Lavender, Investigator
Christy Lawson, Paralegal
William Perkins, Executive Director
Ben Schlemmer, Investigator
Scott Sides, Investigator

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 October 29, 2025

Commissioner Seale made a motion that the Minutes of October 29, 2025, be approved. A second was made by Commissioner Christopher. The motion was approved by unanimous vote.

NEW BUSINESS

Full License Applicants

<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>
1. Ayman Nasser Abunimer	Virginia Tech Carilion School of Medicine	USMLE/GA
2. Rana A David Abushamma	National Ribat University College of Medicine	USMLE
3. Bethany Suzanne Acosta	Louisiana State University School of Medicine New Orleans	USMLE
4. Zeel Adeshra	Saba University School of Medicine	USMLE
5. Muhammad Aemaz Ur Rehman	King Edward Medical University	USMLE
6. Olivia Ricks Agee	University of Alabama School of Medicine Birmingham	USMLE
7. Ammar Al Heyasat	Al-Balqa Applied University Faculty of Medicine	USMLE
8. Eshraq N T Al-Jaghbeer	University of Jordan	USMLE/IL
9. Ahmad Samih Al-Ta'Mari	University of Jordan	USMLE
10. Srihasa Chowdary Allam	Mamata Medical College	USMLE
11. Tiariel Marie Anderson	University of South Alabama College of Medicine	USMLE
12. Grace Eileen Ashbery	University of Tennessee at Memphis	USMLE
13. Tasneem Safa Ashrafi	Alfaisal University College of Medicine	USMLE
14. Nneka Clara Azih	Morehouse School Of Medicine	USMLE/MD
15. Soumyadeep Bag	Bankura Sammilani Medical College, University of Calcutta	USMLE
16. Sara Jane Barlow	Oakland University William Beaumont School of Medicine	USMLE/OH
17. Durga Prasad Bestha	Osmania Medical College	USMLE/IA
18. Nyan A Bethel	St. George's University School of Medicine	USMLE
19. Anum Bilal	Aga Khan Medical School	USMLE/MA
20. Brandon Yunghuc Boeur	Philadelphia College of Osteopathic Medicine	COMLEX
21. Callie Shawhan Bridges	Baylor College of Medicine	USMLE
22. Emily Stewart Brown	University of Alabama School of Medicine Birmingham	USMLE/VA
23. Annie Rose Burnett	Wright State University School of Medicine	USMLE/NC
24. Chrissy Allyn Capati	Western Univ of Health Sci, College of Osteo Med of Pacific	COMLEX/CA
25. Katie Lynn Carr	University of Medicine and Health Sciences, St. Kitts	USMLE
26. Paarmit Singh Chhabra	Windsor University	USMLE

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<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>
27. Troye Scott Christmas	Alabama College of Osteopathic Medicine	COMLEX
28. Jacquelyn Rupley Clarkson	Liberty University College of Osteopathic Medicine	COMLEX
29. Emily Kate Cobb	University of Mississippi School of Medicine	USMLE
30. Christina Council-King	University of Medicine and Health Sciences, St. Kitts	USMLE/DE
31. Emily Noel Custer	Edward Via College of Osteopathic Medicine Auburn	COMLEX
32. Grant Damico	Baylor College of Medicine	USMLE
33. Nicholas Guy Demers	University of New England College of Osteopathic Medicine	COMLEX/PA
34. Carleson Dennis	University of Alabama School of Medicine Birmingham	USMLE
35. Kelsey P Douangmavongsa	Louisiana State University Medical Center in Shreveport	USMLE
36. Kelsey Ann Duckett	Medical University of South Carolina College of Medicine	USMLE
37. Sonal Devi Duggirala	Sri Ramachandra Medical College & Research Institute	USMLE
38. Lance Russell Dunlop	University of Pennsylvania School of Medicine	USMLE/PA
39. Benjamin M Easow	Dr. Somervell Memorial CSI Hospital & Medical College	USMLE
40. Nicholas James Eisele	Kansas City University of Medicine and Biosciences	COMLEX
41. Samantha Arlyne Eksir	Wake Forest University School of Medicine	USMLE/NC
42. FNU Ekta	Chandka Medical College University of Sind	USMLE
43. Savannah Olivia Elrod	University of Alabama School of Medicine Birmingham	USMLE
44. William Edward Fagan	University of Alabama School of Medicine Birmingham	USMLE
45. Aishath Shausha Farooq	Ziauddin Medical University	USMLE
46. Hareem Farooq	King Edward Medical University	USMLE
47. Alexander Troy Flugrad	Poznan Univ of Med Sci Center for Medical Ed in English	USMLE
48. Lydia George Francis	St. Martinus University Faculty of Medicine	USMLE/GA
49. Meg Nicole Francis	University of Mississippi School of Medicine	USMLE
50. Ying Ge	Tianjin Medical University	USMLE
51. Mihir Vinodrai Ghetiya	U of Tennessee Health Science Center College of Medicine	USMLE
52. Joseph Aaron Gotesman	Albert Einstein College of Medicine of Yeshiva University	USMLE/NY
53. Matthew David Gribble	University of Queensland	USMLE
54. Ethan Guffey	University of Arkansas College of Medicine	USMLE/TN
55. Hussein Rizkar Akram Haidari	Hawler Medical University School of Medicine	USMLE
56. Elizabeth Marion Hale	Augusta University	USMLE
57. Alexander James Hans	Edward Via College of Osteopathic Medicine Auburn	COMLEX
58. Brandon Huddleston	University of Mississippi School of Medicine	USMLE
59. Natalie Noel Hunsinger	University of South Alabama College of Medicine	USMLE/LA
60. Daniel Francisco Isaza Pierotti	Universidad Del Valle, Cali	USMLE
61. Anthony Robert Jackson	Alabama College of Osteopathic Medicine	COMLEX
62. Maheen Jawaid	Fatima Jinnah Medical College for Women, U of the Punjab	USMLE
63. Yunyi Jin	Peking University Health Science Center	USMLE
64. Daniel James Johnson	Vanderbilt University School of Medicine	USMLE/TN
65. Wali' Rashad Johnson	Morehouse School Of Medicine	USMLE/TN
66. Cheryl Ann Jones	Autonomous University of Guadalajara	FLEX/TX
67. Scott Morgan Kahle	Midwestern University CCOM	COMLEX/FL
68. Aariez Khalid	William Carey University College of Osteopathic Medicine	USMLE
69. Austin Ryan Kidd	University of Alabama School of Medicine Birmingham	USMLE
70. Juyeon Kim	Korea University College of Medicine	USMLE

<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>
71. Benjamin Edward Kimbell	University of South Alabama College of Medicine	USMLE
72. Ryan Douglas Kimbrough	University of Texas Medical School at Galveston	USMLE/TX
73. Keili Elisa Kimura	Edward Via College of Osteopathic Medicine Auburn	COMLEX
74. Naomi Kis	Wayne State University School of Medicine	USMLE/AZ
75. Katherine O Knernshield	New York Institute of Technology College of Osteo Med	COMLEX
76. Olivia Margaret Knoll	East TN State Univ James H Quillen College of Medicine	USMLE
77. Monoj Kumar Konda	Andhra Medical College, Andhra University	USMLE/MI
78. Sreenidhi Kosuri	Kasturba Medical College, Manipal University	USMLE
79. Nguyen Lam	Edward Via College of Osteopathic Medicine Auburn	COMLEX
80. Zean Liao	University of Texas - Houston Medical School	USMLE
81. Roger Lin	National Yang-ming Medical College	USMLE
82. Annabel Lu	Emory University School of Medicine	USMLE
83. Joanne Makar	Florida State University College of Medicine	USMLE
84. Christian Andrew Manganti	University of South Alabama College of Medicine	USMLE
85. Tijin Ann Mathew	Kerala University of Health Sciences	USMLE
86. Tucker Grooms McCaleb	University of Alabama School of Medicine Birmingham	USMLE
87. Shubha Vinod McClelland	University of South Alabama College of Medicine	USMLE
88. Mark Andrew McClure	University of Alabama School of Medicine Birmingham	USMLE
89. Omsai Koti Reddy Meka	Wake Forest University School of Medicine	USMLE
90. Joselyn Sophia Miller	Edward Via College of Osteopathic Medicine Auburn	COMLEX/CT
91. Bati Ann Myles	Northwestern University Medical School	USMLE/IN
92. Meryl Catherine Nath	University of Alabama School of Medicine Birmingham	COMLEX
93. Blake Pierce Nelson	Burrell College of Osteopathic Medicine	COMLEX
94. Madeleine Powell Nevels	Edward Via College of Osteopathic Medicine Auburn	COMLEX
95. Andrew Hong Nguyen	Touro U College of Osteopathic Medicine	COMLEX/NV
96. Michael O'Sullivan	SUNY at Buffalo School of Medicine & Biomedical Science	USMLE
97. Olaitan Keji Okungbowa	University of Benin	USMLE
98. Tucker Austin Oliver	Augusta University	USMLE
99. Meagan Mandabach Olivet	University of Alabama School of Medicine Birmingham	USMLE
100. Michelle Chinyere Onuoha	Texas Tech Univ Health Sciences Center School of Medicine	USMLE
101. Elyas Parsa	Chicago College of Osteopathic Medicine	COMLEX/IN
102. Monica Sai Pasala	University of Alabama School of Medicine Birmingham	USMLE
103. Irasema Concepcion Paster	A T Still University School of Osteopathic Medicine	COMLEX
104. Radhika Rakesh Patel	University of South Carolina School of Medicine	USMLE
105. Manasi Sanjay Patwardhan	BJ Medical College Ahmedabad	USMLE/PA
106. Sanjay Chintaman Patwardhan	Grant Government Medical College, Mumbai	USMLE/SC
107. Eleanor Kalan Petyak	University of South Carolina School of Medicine Greenville	USMLE
108. Keeley Amber Pownall	Edward Via College of Osteopathic Medicine Auburn	COMLEX
109. Caroline Bennett Presley	University of Alabama School of Medicine Birmingham	USMLE
110. Anne Elizabeth Ray	University of California San Francisco	USMLE/UT
111. Trenton James Ray	University of Mississippi School of Medicine	USMLE
112. Elad Haim Resnick	Hadassah Medical School, Hebrew University	USMLE
113. Seth Alan Richard	Edward Via College of Osteopathic Medicine Louisiana	COMLEX
114. Madelyn Rose Roberson	University of Mississippi School of Medicine	USMLE

<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>
115.Jessica Adrianna Robinson	Morehouse School Of Medicine	USMLE
116.Mina Michael Mousa Saba	University of Cairo	USMLE
117.Mayal Singh Sandhu	American University of Antigua	USMLE
118.Alina Sehar	Jinnah Medical and Dental College	USMLE
119.Ramneet Singh Sekhon	American University of Antigua	USMLE
120.Minye Seok	University of South Alabama College of Medicine	USMLE
121.Ankit Sharma	William Carey University College of Osteopathic Medicine	COMLEX
122.Charu Shastri	Lala Lajpat Rai Memorial Medical College	USMLE
123.Colin Robert Shone	University of Tennessee at Memphis	USMLE
124.Amanda Claire Slade	Univ of Tennessee Health Science Center College of Medicine	USMLE
125.Cameron Allen Smith	Florida State University College of Medicine	USMLE
126.Kyler Weston Smith	University of Nevada School of Medicine	USMLE
127.Rachel La Rue Spurrier	Edward Via College of Osteopathic Medicine Auburn	COMLEX/SC
128.Joncel Laundranese Stephens	Mercer University School of Medicine	USMLE
129.Gregory Wallace Stewart	University of Texas Medical School at Galveston	FLEX/TX
130.Eric Mitchell Stringfield	University of Kansas School of Medicine Wichita	USMLE
131.Brooks Ashmore Stroud	Mercer University School of Medicine	USMLE
132.Kinsley Taylor Stuart	University of Mississippi School of Medicine	USMLE
133.Chauncey Denise Tarrant	Meharry Medical College School of Medicine	USMLE
134.Elizabeth Taylor	Lincoln Memorial Univ Debusk College of Osteopathic Med	COMLEX
135.Juan A Teron Cosme	University of Medicine and Health Sciences, St. Kitts	USMLE
136.Greeshma Anna Thomas	Pushpagiri Institute of Medical Sciences and Research Centre	USMLE
137.Gabriel Touliatos	Edward Via College of Osteopathic Medicine Auburn	COMLEX
138.Matthew Ryan Trotta	West Virginia University School of Medicine	USMLE
139.Eren Veziroglu	Dartmouth Medical School	USMLE
140.Dimitri Jorge Villanueva	American University of The Caribbean	USMLE
141.Arun Kumar Villivalam	Sidney Kimmel Medical College at Thomas Jefferson Univ	USMLE/IL
142.John Alexander White	Autonomous University of Guadalajara	USMLE
143.Miranda Elizabeth Worley	University of Alabama School of Medicine Birmingham	USMLE
144.Kelsea Cheyenne Wright	University of South Alabama College of Medicine	USMLE/NY
145.Andrea Yates	Alabama College of Osteopathic Medicine	COMLEX
146.Larson Garrett Zettler	Mercer University School of Medicine	USMLE
147.Eunise C Chen	University of Texas Houston Medical School	USMLE
148.Jeremy T Drenckhahn	Uniformed Services University	USMLE/NE
149.*Deborah Anne Hester	University of Mississippi School of Medicine	FLEX/MS
150.Alan Maloon	University of the Witwatersrand Faculty of Health Sciences	FLEX
151.Richard Curtis Mauer	University of Iowa Carver College of Medicine	FLEX/IA
152.David M Medunick	Philadelphia College of Osteopathic Medicine	COMLEX/NJ
153.William J L Newton	Chicago College of Osteopathic Medicine	COMLEX/VA
154.Jacqueline Nicole Williams	Uniformed Services University	USMLE/GA

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

5/14

A motion was made by Commissioner Aldridge with a second by Commissioner Christopher to approve applicant numbers one through one hundred and fifty-four (1-154) for full licensure. The motion was approved by unanimous vote.

Limited License Applicants

	<u>Name</u>	<u>Medical School</u>	<u>End.</u>	<u>Location</u>	<u>License</u>
1.	Ahmed Ahmed Abdelrehim	Alexandria University Faculty of Medicine	LL/AL	UAB General Surgery	R
2.	Mohammad I Banharally	Washington Univ School of Medicine	LL/AL	Crestwood FM	R
3.	Luis G Benitez Matamoros	National Autonomous Univ of Honduras	LL/AL	UAB Huntsville FM	R
4.	Willa Green Byars	Edward Via College of Osteo Med Auburn	LL/AL	UAB St. Vincent FM	R
5.	Augusto X Cama Olivares	Cayetano Heredia University	LL/AL	Baptist Birmingham IM	R
6.	Sameer S Deshmukh	Government Medical College Nanded	LL/AL	Mobile Infirmary IM	R
7.	Erum Inkisar Khan	B J Medical College, Gujarat University	LL/AL	UAB Neurology	R
8.	Sudharani Kinthada	Andhra Medical College, Andhra Univ	LL/AL	Flowers IM	R
9.	Jakarinya Mangalamoorthy	Xavier University School of Medicine	LL/AL	USA FM	R
10.	Szymon Matejuk	Jagiellonian University Medical College	LL/AL	USA Diagnostic Radiology	R
11.	Moussa Mohamed Berro	American Univ of Beirut Faculty of Med	LL/AL	UAB IM	R
12.	Nimra Mumtaz	King Edward Medical School	LL/AL	Mobile Infirmary IM	R
13.	Eunice N Ogbuji	USAT Faculty of Medicine	LL/AL	UAB St. Vincent's FM	R
14.	Ifeyinwa M Oraekwute	O. O. Bogomolets National Medical Univ	LL/AL	Mobile Infirmary IM	R
15.	Armando Luis Perez	U of Washington Idaho WWAMI	LL/AL	Mobile Infirmary IM	R
16.	Liban H Abdikarim	Brody School of Med at East Carolina Univ	LL/AL	Thomas Hospital IM	R

A motion was made by Commissioner Aldridge with a second by Commissioner Christopher to approve applicant numbers one through sixteen (1-16) 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 October 1, 2025, through October 31, 2025. A copy of this report is attached as Exhibit "A".

REPORTS

Physician Monitoring Report

The Commission received as information the physician monitoring report dated November 14, 2025. A copy of the report is attached as Exhibit "B".

6/14

APPLICANTS FOR REVIEW

Jason Brown, M.D.

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

Leigh Michelle Fountain, D.O.

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

Tejashwini Gattu Luevano, D.O.

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

Ardenne Sarah Martin, M.D.

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

James Michael Milburn, M.D.

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

Alexandra C.B. Pagan, M.D.

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

Neil S. Patel, D.O.

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

Philip L. Salstrom, M.D.

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

DISCUSSION ITEMS

BME Rule for Publication: 540-X-11-07

The Commission received as information the Board of Medical Examiners' Rule for Publication: 540-X-11-07, Procedure and Device Requirements for Physicians and Delegates. A copy of the rule is attached as Exhibit "C".

MLC Rule for Final Adoption: 554-X-A-B-Ch-2, Renewal

A motion was made by Commissioner Nagrodzki with by second by Commissioner Nelson-Garrett to adopt Rule 545-X-A-B-Ch-2. A copy of the rule is attached hereto as Exhibit "D".

MLC Rule for Final Adoption: 554-X-A-C-Ch-2, Reinstatement

A motion was made by Commissioner Nelson-Garrett with by second by Commissioner Nagrodzki to adopt Rule 545-X-A-C-Ch-2. A copy of the rule is attached hereto as Exhibit "E".

REQUESTS

Gary R. Wisner, M.D.

The Commission considered a request filed on behalf of Dr. Wisner to lift the probationary conditions placed on his Alabama medical license pursuant to the Consent Decree entered on November 27, 2023. A motion was made by Commissioner Nelson-Garrett with a second by Commissioner Christopher to approve Dr. Wisner's request. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "F".

Brice C. Burke, M.D.

The Commission considered a request filed by Dr. Burke to clarify his licensure status as reflected in his public file. A motion was made by Commissioner Aldridge with a second by Commissioner Nelson-Garrett to issue an order detailing that all previous requirements of licensure have been satisfied and that Dr. Burke currently holds a full and unrestricted license to practice

medicine in Alabama, without contingencies or conditions of any kind. The motion was approved by unanimous vote. A copy of the order is attached as Exhibit "G".

Ernest G. Burch, M.D.

The Commission considered a request filed by Dr. Burch to remove the 2016 report filed with the National Practitioner Data Bank. A motion was made by Commissioner Christopher with a second by Commissioner Falgout to amend Dr. Burch's May 25, 2016 Consent Decree, so as to remove the reprimand and file a revision-to-action report with the National Practitioner Data Bank. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "H".

ADMINISTRATIVE FILINGS

Robert Wayne Smith, M.D.

A motion was made by Commissioner Nagrodzki with a second by Commissioner Nelson-Garrett to accept the Voluntary Surrender of Dr. Smith's Alabama medical license. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "I".

CLOSED SESSION UNDER ALA. CODE 34-24-361.1

At 10:15 a.m., the Commission entered closed session pursuant to Alabama Code § 34-24-361.1 to hear and consider the following matters:

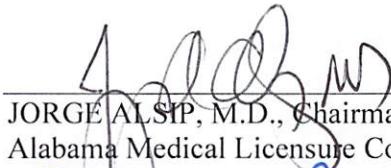
Steven M. Hayden, M.D.

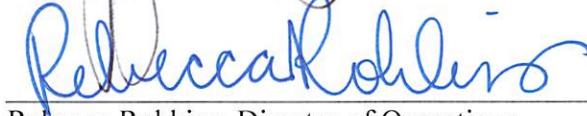
At the conclusion of the hearing, a motion was made by Commissioner Christopher with a second by Commissioner Falgout to revoke Dr. Hayden's Alabama medical license and assess an administrative fine. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "J". Commissioner Seale did not take part in this proceeding.

Meeting adjourned at 5:28 p.m.

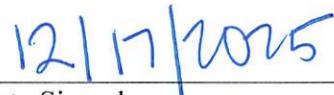
PUBLIC MEETING NOTICE: The next meeting of the Alabama Medical Licensure Commission was announced for Wednesday, December 17, 2025, beginning at 9:00 a.m.

9/Jul


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


Rebecca Robbins

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


12/17/2025

Date Signed

EXHIBIT
A

IMLCC Licenses Issued October 1, 2025 - October 31, 2025 (134)

Name	License Type	License Number	Status	Issue Date	Expiration Date	State of Primary Licensure
Jose Angel Diaz	MD	52409	Active	10/7/2025	12/31/2025	Arizona
Matthew Leighton Draughon	MD	52394	Active	10/2/2025	12/31/2026	Arizona
Jordan Seth Weiner	MD	52433	Active	10/14/2025	12/31/2025	Arizona
Juan Bautista	MD	52450	Active	10/17/2025	12/31/2025	Arizona
Christian Dewald	MD	52467	Active	10/21/2025	12/31/2026	Arizona
Mai Kim Doan	MD	52493	Active	10/27/2025	12/31/2025	Arizona
Meghan Leah Taylor	MD	52484	Active	10/23/2025	12/31/2026	Colorado
Pamela Hilary Kasenetz	MD	52501	Active	10/28/2025	12/31/2025	Colorado
Robyn Rebecca Heister	MD	52457	Active	10/20/2025	12/31/2025	Delaware
Vishal Rajesh Patel	MD	52497	Active	10/27/2025	12/31/2025	Delaware
Lisa Jones	MD	52502	Active	10/28/2025	12/31/2025	District of Columbia
Zoe Anne Miller	MD	52390	Active	10/1/2025	12/31/2025	Florida
Peter Edward Millington	MD	52397	Active	10/2/2025	12/31/2025	Florida
Cullen Grable	MD	52410	Active	10/7/2025	12/31/2025	Florida
Niraj P Pandit	MD	52407	Active	10/7/2025	12/31/2026	Florida
David William Weiss	MD	52406	Active	10/7/2025	12/31/2025	Florida
Octavio F Neri	MD	52423	Active	10/9/2025	12/31/2025	Florida
Raina Carriel Alexander	MD	52434	Active	10/14/2025	12/31/2025	Florida
Charles David Talakkottur	MD	52444	Active	10/15/2025	12/31/2025	Florida
Jared Justin Rich	MD	52448	Active	10/16/2025	12/31/2025	Florida
Sarah Paschall	MD	52461	Active	10/20/2025	12/31/2025	Florida
Martin Al Grossman	MD	52465	Active	10/21/2025	12/31/2025	Florida
Darren James DePalma	MD	52476	Active	10/22/2025	12/31/2025	Florida
Trisha Kent Cardillo	MD	52489	Active	10/23/2025	12/31/2025	Florida
Alvaro Frometa	MD	52487	Active	10/23/2025	12/31/2025	Florida
Mehdi Shamloo	MD	52486	Active	10/23/2025	12/31/2025	Florida
Travis Murphy	MD	52499	Active	10/27/2025	12/31/2025	Florida
Jacob Joseph Noveck	MD	52582	Active	10/31/2025	12/31/2025	Florida
Brooks Alan Parker	DO	4347	Active	10/7/2025	12/31/2025	Florida
Alexander Garcia	DO	4353	Active	10/15/2025	12/31/2025	Florida
Victoria Lynne Bain	DO	4354	Active	10/16/2025	12/31/2026	Florida

Anthony Dominick DeRenzi	DO	4361	Active	10/23/2025	12/31/2025	Florida
Joseph Lewis	DO	4360	Active	10/23/2025	12/31/2025	Florida
Nitesh Kumar Jain	MD	52402	Active	10/3/2025	12/31/2025	Georgia
William Thoburn Randazzo	MD	52442	Active	10/14/2025	12/31/2025	Georgia
Kimberly Dionne Gilbert	MD	52451	Active	10/17/2025	12/31/2025	Georgia
Corbi Dianell Milligan	MD	52452	Active	10/17/2025	12/31/2025	Georgia
Krunal Jethwa	MD	52460	Active	10/20/2025	12/31/2025	Georgia
Luzdivina Vine	MD	52504	Active	10/29/2025	12/31/2025	Georgia
Bridgette Marie Baker	MD	52464	Active	10/20/2025	12/31/2025	Idaho
Susan Jean Sventek	MD	52414	Active	10/8/2025	12/31/2025	Illinois
Anwar Antoine Jebran	MD	52426	Active	10/9/2025	12/31/2025	Illinois
Nida Yousef	MD	52443	Active	10/15/2025	12/31/2026	Illinois
Shiraz Tariq Rahim	MD	52475	Active	10/22/2025	12/31/2025	Illinois
Syed Ali Akbar	MD	52482	Active	10/23/2025	12/31/2025	Illinois
Nereida Rojas	MD	52583	Active	10/31/2025	12/31/2025	Illinois
Najeem T Ojulari	MD	52404	Active	10/3/2025	12/31/2025	Indiana
Biplab K Saha	MD	52431	Active	10/14/2025	12/31/2025	Indiana
Derryl Joseph Miller	MD	52473	Active	10/22/2025	12/31/2025	Indiana
Michael Joseph Mahoney	MD	52459	Active	10/20/2025	12/31/2025	Iowa
Lonny Dean Miller	MD	52490	Active	10/23/2025	12/31/2025	Iowa
Monica Marie Minjeur	DO	4363	Active	10/27/2025	12/31/2025	Iowa
Thomas E Green	DO	4381	Active	10/31/2025	12/31/2026	Iowa
Amy Jennifer DiChiara	MD	52463	Active	10/20/2025	12/31/2025	Kentucky
Rodolfo Reyes	MD	52453	Active	10/20/2025	12/31/2025	Kentucky
Brittney Richarddson	MD	52500	Active	10/28/2025	12/31/2025	Kentucky
Matthew Sanders French	MD	52391	Active	10/1/2025	12/31/2025	Louisiana
Hassan Fares	MD	52413	Active	10/8/2025	12/31/2025	Louisiana
John O Nnadi	MD	52418	Active	10/8/2025	12/31/2025	Louisiana
Mary-Louise Haymon	MD	52422	Active	10/9/2025	12/31/2025	Louisiana
Laura Ashford Buchanan	MD	52469	Active	10/21/2025	12/31/2026	Louisiana
Charit Fares	MD	52579	Active	10/30/2025	12/31/2025	Louisiana
David Baranano	MD	52395	Active	10/2/2025	12/31/2025	Maryland
Suzanne Myers Adler	MD	52415	Active	10/8/2025	12/31/2025	Maryland
Adrien Lasaund Janvier	MD	52425	Active	10/9/2025	12/31/2025	Maryland

John J Cho	MD	52429	Active	10/10/2025	12/31/2025	Maryland
Dang Nguyen	MD	52456	Active	10/20/2025	12/31/2025	Maryland
Tanya Lee Brescia-Oddo	MD	52480	Active	10/23/2025	12/31/2025	Maryland
Sarah Diekmann	MD	52485	Active	10/23/2025	12/31/2025	Maryland
Shannon Lynn Henning	DO	4350	Active	10/8/2025	12/31/2025	Maryland
Sharefi Saleh	MD	52428	Active	10/9/2025	12/31/2025	Michigan
Freda Amanyiwah Armah	MD	52432	Active	10/14/2025	12/31/2025	Michigan
Karen R Russell-Little	MD	52466	Active	10/21/2025	12/31/2025	Michigan
Patricia Lynn Fick	MD	52472	Active	10/22/2025	12/31/2025	Michigan
Alonso Mesa	MD	52436	Active	10/14/2025	12/31/2026	Mississippi
Virginia Clair Nelson	DO	4359	Active	10/22/2025	12/31/2025	Mississippi
Christian DeMoine Neal	MD	52411	Active	10/8/2025	12/31/2025	Missouri
Keith Bonacquisti	MD	52438	Active	10/14/2025	12/31/2026	Missouri
Monica Buckner	MD	52437	Active	10/14/2025	12/31/2025	Missouri
Michael James Moravan	MD	52447	Active	10/16/2025	12/31/2025	Missouri
Paul Mazur	MD	52408	Active	10/7/2025	12/31/2025	Nevada
Sheikh Shehryar Saghir	MD	52495	Active	10/27/2025	12/31/2025	Nevada
Irina Vladimirovna Williams	MD	52449	Active	10/17/2025	12/31/2025	New Hampshire
Abraham Reuven Lehman	MD	52427	Active	10/9/2025	12/31/2025	New Jersey
Ujval Patel	MD	52462	Active	10/20/2025	12/31/2025	New Jersey
Arif K Hafeez	DO	4349	Active	10/8/2025	12/31/2025	New Jersey
Wayne Douglas Warrington	DO	4352	Active	10/9/2025	12/31/2025	New Jersey
Beth-Ann Watson Lieberman	DO	4362	Active	10/24/2025	12/31/2025	New Jersey
James Peter Matthews	MD	52435	Active	10/14/2025	12/31/2025	Ohio
Lori Ann Tucker	DO	4348	Active	10/8/2025	12/31/2025	Ohio
Amanda Sadler	MD	52474	Active	10/22/2025	12/31/2025	Oklahoma
Melissa Lai King	MD	52401	Active	10/3/2025	12/31/2026	Pennsylvania
Kimberley Monique Watson	MD	52440	Active	10/14/2025	12/31/2025	Pennsylvania
Joseph John Arcuri Jr.	MD	52496	Active	10/27/2025	12/31/2025	Pennsylvania
Katherine Mussoline Thompson	DO	4356	Active	10/20/2025	12/31/2025	Pennsylvania
Charlotte Anne Batey	MD	52400	Active	10/2/2025	12/31/2025	Tennessee
Larry Dean Gurley	MD	52399	Active	10/2/2025	12/31/2025	Tennessee
Richard Francis Thompson Jr	MD	52403	Active	10/3/2025	12/31/2026	Tennessee
Spencer J Madell	MD	52416	Active	10/8/2025	12/31/2025	Tennessee

Ryan Hale Belcher	MD	52424	Active	10/9/2025	12/31/2025	Tennessee
Audrey Louise Bennett	MD	52441	Active	10/14/2025	12/31/2025	Tennessee
Retty Rachel Thomas	MD	52439	Active	10/14/2025	12/31/2025	Tennessee
Ana Beatriz Cabal	MD	52445	Active	10/16/2025	12/31/2025	Tennessee
Kimberly Dean Roller	MD	52446	Active	10/16/2025	12/31/2025	Tennessee
Eric Eskioglu	MD	52470	Active	10/21/2025	12/31/2025	Tennessee
Kathleen Ann Seaton	MD	52479	Active	10/22/2025	12/31/2025	Tennessee
Colin Cha Fong	MD	52492	Active	10/24/2025	12/31/2025	Tennessee
Michael David Corvini	MD	52498	Active	10/27/2025	12/31/2025	Tennessee
Beneranda Sophia Ford-Gianton	MD	52494	Active	10/27/2025	12/31/2025	Tennessee
Nadear Abdurahman Gorashi Elmahi	MD	52392	Active	10/1/2025	12/31/2025	Texas
Doohi Lee	MD	52393	Active	10/1/2025	12/31/2026	Texas
Hoang Minh Tue Nguyen	MD	52398	Active	10/2/2025	12/31/2025	Texas
Nsikak Jarlath Umoh	MD	52396	Active	10/2/2025	12/31/2025	Texas
Srinivas Bjadiraju	MD	52419	Active	10/8/2025	12/31/2025	Texas
Anjori Dunbar	MD	52421	Active	10/8/2025	12/31/2025	Texas
Luke Paine Sorrell	MD	52417	Active	10/8/2025	12/31/2025	Texas
Hamza Muhammad Tola	MD	52420	Active	10/8/2025	12/31/2026	Texas
Sam Alexander Samarrai	MD	52430	Active	10/10/2025	12/31/2025	Texas
Ian Apolios Justi Ellis	MD	52458	Active	10/20/2025	12/31/2025	Texas
Mesha Lamakisha Denee Martinez	MD	52455	Active	10/20/2025	12/31/2025	Texas
Muhammad Zeeshan Memon	MD	52468	Active	10/21/2025	12/31/2025	Texas
German Echeverry	MD	52477	Active	10/22/2025	12/31/2026	Texas
Stefan Friemel	MD	52488	Active	10/23/2025	12/31/2026	Texas
Mary McFarland Matthews	MD	52483	Active	10/23/2025	12/31/2025	Texas
Somkiat Sopontammarak	MD	52491	Active	10/24/2025	12/31/2025	Texas
Pathik Jatin Desai	MD	52503	Active	10/29/2025	12/31/2025	Texas
Christopher Jonathan Hummel	DO	4358	Active	10/22/2025	12/31/2026	Texas
Kyler Matt Black	MD	52478	Active	10/22/2025	12/31/2025	Utah
Mark Ford Wilkinson	DO	4357	Active	10/21/2025	12/31/2026	Utah
Stefan Richter	MD	52412	Active	10/8/2025	12/31/2025	Washington
Roger Dean Woodruff	MD	52471	Active	10/22/2025	12/31/2025	Washington
Leslie Ann Sanchez-Goettler	MD	52481	Active	10/23/2025	12/31/2025	Washington
Chhaya Patel	MD	52454	Active	10/20/2025	12/31/2025	Wisconsin

Hamik Biramian	DO	4355	Active	10/17/2025	12/31/2025	Wisconsin
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**Total licenses issued since April 2017 - 6,203*

EXHIBIT

B



STATE of ALABAMA
MEDICAL LICENSURE COMMISSION

To: Medical Licensure Commission
From: Nicole Roque
Subject: November Physician Monitoring Report
Date: 11/14/2025

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

Physician: **Robert Bolling, M.D.**
Order Type: MLC
Due Date: Other
Order Date: 12/18/2024
License Status: Active-Probation
Requirements: Polygraph
Received: Polygraph Results

Physician: **Shakir Raza Meghani, M.D.**
Order Type: BME/MLC
Due Date: Monthly
Order Date: 11/20/2023
License Status: Active
Requirements: Check PDMP Monthly
Received: PDMP Compliant



EXHIBIT
C

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: November 13, 2025
Re: Administrative Rules Approved for Publication

The Board of Medical Examiners, at its meeting November 13, 2025, approved the following rule to be published for public comment in the *Alabama Administrative Monthly*:

- Administrative Rule, 540-X-11-.07, *Procedure and Device Requirements for Physicians and Delegates*

After receiving several requests for clarification from practitioners, the Board of Medical Examiners amended Administrative Rule 540-X-11-.07 in *Guidelines for the Use of Lasers and Other Modalities Affecting Living Tissue*. The amendment to 540-X-11-.07 clarifies that Level 2 Delegates are not allowed to practice under locally remote supervision.

With an expected publication date of November 26, 2025, the public comment period ends January 1, 2026. The anticipated effective date March 16, 2026.

Attachments:

- Administrative Rule Administrative Rule, 540-X-11-.07, *Procedure and Device Requirements for Physicians and Delegates*

APA-1

**TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION**

Control: 540

Department or Agency: Alabama Board of Medical Examiners

Rule No.: 540-X-11-.07

Rule Title: Procedure And Device Requirements For Physicians And Delegates

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-11-.07 Procedure And Device Requirements For Physicians And Delegates

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Amend rule to provide clarification on delegation allowed for remote site practice within the Board's laser guidelines.

This amendment meets the "protection of public health" exemption from the moratorium on rule amendments contained in Governor Ivey's Executive Order No. 735, Reducing "Red Tape" on Citizens and Businesses.

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 December 31, 2025. 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:

Wednesday, December 31, 2025

CONTACT PERSON AT AGENCY:

Effie Hawthorne

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

Physicians and delegates involved in the use of LLBDs must complete a minimum number of procedure/device-specific training hours, a minimum number of observed procedures, a minimum number of supervised procedures, and a minimum number of cases under supervision as set forth below.

(1) Ablative Laser Skin Resurfacing:

(a) Prior to performing procedures with any category of LLBD, physicians must complete eight (8) hours of training in the device or device category, unless the physician received training on the device in residency, in which case only four (4) hours of training are required.

(b) Level 1 and 2 Delegates shall not perform these procedures.

(2) Non-Ablative Laser Photorejuvenation:

(a) Physicians must complete eight (8) hours of training on each device unless he or she received training on the device in residency, in which case only four (4) hours of training are required.

(b) Level 1 Delegates must complete twelve (12) hours of training on each device, which includes observing the procedure performed by a trained physician and performing ten (10) cases under the direct supervision of a trained physician. After twenty (20) cases have been performed with a physician seeing a patient prior to the procedure, a Level 1 Delegate may treat a patient without a physician seeing the patient at the initial and each subsequent visit.

(c) A Level 2 Delegate must complete twenty (20) hours of training on each device, which includes observing the procedure performed by a trained physician or Level 1 Delegate, and performing fifteen (15) cases under the direct supervision of a trained physician. After twenty (20) cases have been performed with a physician seeing a patient prior to the procedure, a Level 2 Delegate may treat a patient without a physician seeing the patient at the initial and each subsequent visit.

(3) Intense Pulsed Light (IPL) and Broad Band Light (BBL):

- (a) Physicians must complete eight (8) hours of training on each device, unless he or she received training in residency, in which case only four (4) hours of training are required.
- (b) Level 1 Delegates must complete twelve (12) hours of training on each device, which includes observing the procedure performed by a trained physician and performing ten (10) cases under the direct supervision of a trained physician. After performing twenty-five (25) supervised cases, a Level 1 Delegate may treat patients for subsequent patient visits without direct supervision by the physician after the physician sees the patient in consult. After performing fifty (50) cases, a Level 1 Delegate may treat patients without direct supervision by the physician for the initial consult and patient consent.
- (c) Level 2 Delegates must complete twenty (20) hours of training on each device, which includes observing the procedure performed by a trained physician and performing fifteen (15) cases under the direct supervision of a trained physician. After performing twenty-five (25) supervised cases, a Level 2 Delegate may treat patients for subsequent patient visits without direct supervision by the physician after the initial patient consult and consent, provided that the physician shall review the device settings for cases 26 through 50 prior to treatment. After performing fifty (50) cases, a Level 2 Delegate may treat patients for the initial treatment visit and subsequent visits without direct supervision by the physician after the physician has seen the patient in consult and consent.

(4) Photoepilation/Laser Hair Removal, Vascular Conditions and Lesions, and Pigmentary Conditions:

- (a) Physicians must complete eight (8) hours of training on each device, unless he or she received training in residency, in which case only four (4) hours of training are required.
- (b) Level 1 Delegates must complete twelve (12) hours of training on each device, which includes observing the procedure performed by a trained physician and performing ten (10) cases under the direct supervision of a trained physician. After performing twenty-five (25) supervised cases, a Level 1 Delegate may treat patients for subsequent patient visits without direct supervision by the physician after the physician sees the patient in

consult. After performing fifty (50) cases, a Level 1 Delegate may treat patients without direct supervision by the physician for the initial consult and patient consent.

(c) Level 2 Delegates must complete twenty (20) hours of training on each device, which includes observing the procedure performed by a trained physician and performing fifteen (15) cases under the direct supervision of a trained physician. After performing twenty-five (25) supervised cases, a Level 2 Delegate may treat patients for subsequent patient visits without direct supervision by the physician after the initial patient consult and consent, provided that the physician shall review the device settings for cases 26 through 50 prior to treatment. After performing fifty (50) cases, a Level 2 Delegate may treat patients for the initial treatment visit and subsequent visits without direct supervision by the physician after the physician has seen the patient in consult and consent.

(d) A solitary pigmented lesion shall be evaluated by a physician prior to any treatment with an LLBD device.

(5) Tattoo Removal.

(a) Physicians must complete eight (8) hours of training on each device, unless he or she received training in residency, in which case only four (4) hours of training are required.

(b) Level 1 Delegates must complete twelve (12) hours of training on each device, which includes observing the procedure performed by a trained physician and performing ten (10) cases under the direct supervision of a trained physician. After performing twenty-five (25) supervised cases, a Level 1 Delegate may treat patients for subsequent patient visits without direct supervision by the physician after the physician sees the patient in consult. After performing fifty (50) cases, a Level 1 Delegate may treat patients without direct supervision by the physician for the initial consult and patient consent.

(c) Level 2 Delegates must complete twenty (20) hours of training on each device, which includes observing the procedure performed by a trained physician and performing fifteen (15) cases under the direct supervision of a trained physician. After performing twenty-five (25) supervised cases, a Level 2 Delegate may treat patients

for subsequent patient visits without direct supervision by the physician after the initial patient consult and consent, provided that the physician shall review the device settings for cases 26 through 50 prior to treatment. After performing fifty (50) cases, a Level 2 Delegate may treat patients for the initial treatment visit and subsequent visits without direct supervision by the physician after the physician has seen the patient in consult and consent.

(6) Non-Laser Skin Rejuvenation:

(a) Physicians and Level 1 and 2 Delegates must complete official certifying training by the device manufacturer or be trained by a physician certified by the manufacturer to use the device.

(b) Level 1 and 2 Delegates must complete eight (8) hours of training on each device, which includes observation of five (5) area-specific treatments by a trained physician and performing ten (10) treatments under the direct supervision of a trained physician. After completing ten (10) treatments under direct supervision, a Level 1 or 2 Delegate may complete ten (10) additional treatments without ~~direction and~~ direct supervision by the physician, provided that the physician reviews the treatment plan and device settings prior to the treatment. After performing twenty-five (25) supervised cases, a Level 1 or 2 Delegate may consult, consent, and treat patients without direct supervision by the physician. Thereafter, treatments may be performed under locally remote supervision by Level 1 Delegates only.

(7) Endovascular Radiofrequency and Laser Ablation (EVLA):

(a) Physicians must complete eight (8) hours of training on each device within a residency or fellowship program.

(b) Level 2 and 3 Delegates shall not perform these procedures.

(8) Laser-Assisted Liposuction (LAL) and Power-Assisted Liposuction:

(a) Physicians must complete eight (8) hours of training on each device within a residency or fellowship program.

(b) Level 2 and 3 Delegates shall not perform these procedures.

(9) Laser-Assisted Surgery

- (a) Physicians must complete sixteen (16) hours of training on each device within a residency or fellowship program.
- (b) Level 1 and 2 Delegates shall not perform these procedures.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §§34-24-50, 34-24-51, 34-24-53.

History: **New Rule:** Filed August 16, 2007; effective September 20, 2007. **Repealed and New Rule:** Published May 31, 2023; effective July 15, 2023. **Amended:** Published _____; effective _____.

ALABAMA BOARD OF MEDICAL EXAMINERS
ADMINISTRATIVE CODE

CHAPTER 540-X-11
GUIDELINES FOR THE USE OF LASERS AND OTHER MODALITIES AFFECTING
LIVING TISSUE

540-X-11-.08 Remote Practice Site.

(1) For the purposes of the rules in this Chapter, a remote practice site is a practice site at which a Level 1 Delegate may, if authorized by a written job description or collaborative protocol, use LLBDs for non-ablative procedures under locally remote supervision.

(2) A Level 2 Delegate shall not use LLBDs at a remote practice site without their supervising physician on-site. Locally remote supervision is not allowed for a Level 2 Delegate.

(3) The physician shall examine the patient, establish a treatment plan, perform informed consent of the patient, and sign the patient chart prior to a Level 1 Delegate performing the first non-ablative treatment of a patient for a particular disease or condition at a remote practice site. Subsequent non-ablative treatments which are a continuation of a treatment plan documented in the patient's chart may be performed by the Level 1 Delegate at a remote practice site without examination of the patient by the physician before each treatment. If any changes are made to the treatment plan or the treatment plan ends, the physician must re-examine the patient prior to any updated treatment being performed.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §§34-24-50, 34-24-51, 34-24-53.

History: **New Rule:** Filed August 16, 2007; effective September 20, 2007. **Amended:** Published May 31, 2023; effective July 15, 2023.

Ed. Note: Previous Rule .09 was renumbered .08 per certification published May 31, 2023; effective July 15, 2023.



EXHIBIT

D

STATE of ALABAMA
MEDICAL LICENSURE COMMISSION
MEMORANDUM

To: Medical Licensure Commission
From: Rebecca Robbins
Date: 11/14/2025
Subject: Administrative Rule 545-X-A-B-Ch-2

The Medical Licensure Commission, at its meeting on August 27, 2025, approved the following rule to be published for public comment in the *Alabama Administrative Monthly*.

- Administrative Rule 545-X-A-B-Ch-2, 20XX *Alabama Medical License Renewal Application*

This rule amendment proposed language that modifies the licensure renewal application concerning physician wellness and fitness to practice.

The rule was published in Volume XLIII, Issue No. 12 of the *Alabama Administrative Monthly*, dated September 30, 2025. No public comments were received.

Should the rule be approved for final adoption and with an expected publication date of December 31, 2025, the anticipated effective date is February 14, 2026.

Attachments:

- Administrative Rule 545-X-A-B-Ch-2, filed September 18, 2025

**TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION**

Control: 545

Department or Agency: ALABAMA DEPARTMENT OF MEDICAL LICENSURE COMMISSION

Rule No.: 545-X-A-B-Ch-2

Rule Title: 20XX Alabama Medical License Renewal Application

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

Wednesday, September 17, 2025

REC'D & FILED

SEP 18, 2025

LEGISLATIVE SVC AGENCY

ALABAMA DEPARTMENT OF MEDICAL LICENSURE COMMISSION

NOTICE OF INTENDED ACTION

AGENCY NAME: Medical Licensure Commission of Alabama

RULE NO. & TITLE: 545-X-A-B-Ch-2 20XX Alabama Medical License Renewal Application

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Medical Licensure Commission proposes a rule amendment to modify language from the licensure renewal application concerning physician wellness and fitness to practice.

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 p.m. Monday through Friday, until and including November 4, 2025. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, November 4, 2025

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)

Appendix B/Chapter 2

20XX Alabama Medical License Renewal Application

Deadline: December 31, 20XX

Failure to renew this license by January 31 will result in license becoming inactive without further notice.

Under Alabama law, this document is a public record and if requested it will be provided in its' entirety.

CME Certification: (Select One)

I hereby certify that I have met or will meet by December 31 the annual minimum continuing education requirement of 25 AMAPRA Category I Credits TM or equivalent continuing medical education for the calendar year 20XX and have or will have supporting documentation if audited.

I certify that I am exempt from the minimum continuing medical education requirement for the following reason:
(Select One)

I do not reside in the State of Alabama and do not have a significant portion of my medical practice in the State of Alabama

I was exempt from the CME requirement for the previous calendar year 20XX, and I moved my residence to the State of Alabama during the calendar year 20XX.

I received my initial license to practice medicine in Alabama in the calendar year 20XX.

I have obtained a retirement waiver from the Board of Medical Examiners, and I do not engage in the practice of medicine in any form.

I have obtained a waiver from the Board of Medical Examiners due to illness, disability or other hardship condition which existed in the calendar year 20XX.

I am enrolled or was enrolled in a residency training program or clinical fellowship program during the calendar year 20XX.

I am exempt from the CME requirement for the calendar year 20XX because I am a member of a branch of the armed services and I was deployed for military service in the calendar year 20XX.

Practice Information

1. Are you actively engaged in clinical practice in the State of Alabama? Yes No
2. What type of specialty area do you practice?
3. Do you currently perform/offer to perform any office based surgery/procedure which requires 1) moderate sedation, deep sedation, or general anesthesia; 2) liposuction when infiltration methods such as the tumescent technique are used; or 3) any procedure in

which Propofol is administered, given or used?
Remember: Office-based surgery is surgery* performed outside a hospital or outpatient facility licensed by the Alabama Department of Public Health.

*Definition of Surgery: Surgery, which involves the revision, destruction, incision or structural alteration of human tissue performed, using a variety of methods and instruments, is a discipline that includes the operative and non-operative care of individuals in need of such intervention, and demands pre-operative assessment, judgement, technical skills, post-operative management and follow up.

—
Primary Care Information

—

4. Does your practice included the delivery of primary care or mental health services, defined as basic or general health care focused on the point at which a patient ideally first seeks assistance from the medical care system, exclusive of an emergency situation? It does NOT include administrative, hospitalists, research, teaching, inpatient, emergency/urgent care, or specialized care.)
5. What is your National Provider Identifier (NPI) Number?
6. Do you work for the military, Veterans Administration, or a federal/state correctional facility?
7. Are you planning to retire in the next 12 months?
8. Are you an intern or resident?
9. What are your practice addresses? (Please include street, city, county, and zip code for each address)
10. How many hours per week do you provide direct patient care? (Do NOT include on call, hospital or nursing home rounds, drug rehab centers, jail, emergency room shifts, or similar sites.)
11. What percentage of the total patient base is on Medicaid? (If none, enter zero)

12. Is a formal sliding fee scale used, based on the patient's income or ability to pay? (Must be available to all uninsured patients.)

NOTE: Repeat questions 9 through 12 for each practice location.

—
Professional Responsibility Certification

—
SINCE YOUR LAST RENEWAL:

—
1. Have you been "charged" with "any" criminal offense (felony or misdemeanor) (This includes driving under the influence (DUI), even if you were convicted of a lesser offense)? Yes No (If yes, please include a detailed explanation)

—
2. Has your certificate of qualification or license to practice medicine or osteopathy in any state been suspended, revoked, restricted, curtailed, voluntarily surrendered, or disciplined in any manner? Yes
No (If yes, please include a detailed explanation)

—
3. Have your staff privileges at any hospital or health care facility been revoked, suspended, curtailed, limited, restricted or voluntarily surrendered?
Yes No (If yes, please include a detailed explanation)

—
4. Have you been denied a certificate of qualification or a license to practice medicine or osteopathy in any state or has your application for a certificate of qualification or license to practice medicine or osteopathy been withdrawn under threat of denial?
Yes No (If yes, please include a detailed explanation)

5. Have you had a judgment rendered against you, or action settled relating to the performance of your professional service? Yes No (If yes, please include a detailed explanation)

6. Are you the subject of an investigation, or has a formal complaint been filed against you or your license by any licensing board or state, federal, regulatory or law enforcement agency? Yes
No (If yes, please include a detailed explanation)

7. HaveAre you currently engaged in the excessive use of alcohol, controlled substances, or the illegal use of illegal drugs, or drugs? ("Currently" means sufficiently recently to justify a reasonable belief that the use of the substance may have an ongoing impact on one's ability to practice medicine with reasonable skill and safety to patients. It is not limited to the day of, or within a matter of days or weeks before the date of this application. Rather, it means that it has occurred recently enough to indicate the individual is actively engaged in such conduct. "Illegal use of drugs" refers to drugs whose possession or distribution is regulated by the Controlled Substances Act. It does not include the use of a drug taken under supervision by a licensed health care professional, or other uses authorized by the Controlled Substances Act or other provision of Federal law. The term does include, however, the unlawful use of prescription controlled substances.)
Yes No (If yes, please include a detailed explanation)

8. Have you received any therapy or treatment for alcohol or drug use or sexual boundary issues? If you are a participant in the Alabama PhysicianProfessionals Health Program ("APHP") and are in compliance with your contract, you may answer "No" to this question, and such answer for this purpose will not be deemed upon certification as providing false information to the Alabama Board of Medical Examiners or the Medical Licensure Commission of Alabama). If yes, please

provide details. Yes No If you answer "yes", then a description is required.

(If yes, please include a detailed explanation)

—

9. Have you been charged, investigated, sanctioned, or have there been any complaints filed against you, relating to sexual boundary issues? Yes No (If yes, please include a detailed explanation)

8

—

10. **Important:** The Commission recognizes that licensees encounter health conditions, including those involving mental health and substance use disorders, just as their patients and other health care providers do. The Commission expects its licensees to address their health concerns and ensure patient safety. Options include anonymously self-referring to the Alabama Physician Health Program (www.alabamaphp.weebfv.com), a physician advocacy organization dedicated to improving the health and wellness of medical professionals in a confidential manner.

—

The failure to adequately address a health condition, where the licensee is unable to practice medicine with reasonable skill and safety to patients, can result in the Commission taking action against the license to practice medicine.

—

Please initial certifying that you understand and acknowledge your duty as a licensee to address any such condition as stated above.

—

911. Has your medical training or medical practice been interrupted or suspended for a period longer than 60 days for any reason other than a vacation, maternity leave, or retirement? Yes No (If yes, please include a detailed explanation)

I understand and agree that by typing my name, I am providing an electronic signature that has the same legal effect as a written signature pursuant to Ala. Code §§8-1A-2 and 8-1A-7. I attest that the foregoing information has been provided by me and is true and correct to the best of my knowledge, information and belief.

—

Knowingly providing false information to the Alabama Board of Medical Examiners or Medical Licensure Commission of Alabama could result in disciplinary action.

Author: Alabama Medical Licensure Board

Statutory Authority: Code of Ala. 1975, §34-24-337.

History: Amended: Filed July 23, 1997; effective August 27, 1997. Amended: Filed March 4, 2003; effective April 8, 2003.

Amended: Filed April 23, 2004; effective May 28, 2004. **Repealed and New Rule:** Filed February 27, 2006; effective April 3, 2006.

Amended: Filed July 26, 2007; effective August 30, 2007.

Amended: Filed November 30, 2007; effective January 4, 2008.

Amended: Filed May 5, 2010; effective June 9, 2010. **Amended:** Filed June 6, 2012; effective July 11, 2012. **Amended:** Filed August 30, 2012; effective October 4, 2012. **Amended:** Filed January 15, 2013; effective February 19, 2013. **Amended:** Filed June 5, 2013; effective July 10, 2013. **Amended:** Filed November 26, 2014; effective December 31, 2014. **Repealed and New Rule:** Filed January 5, 2018; effective February 19, 2018. **Amended:** Filed January 11, 2019; effective February 25, 2019. **Amended:** Published December 30, 2021; effective February 13, 2022. Amended: Published _____; effective _____.



EXHIBIT
E

STATE of ALABAMA
MEDICAL LICENSURE COMMISSION
MEMORANDUM

To: Medical Licensure Commission
From: Rebecca Robbins
Date: 11/14/2025
Subject: Administrative Rule 545-X-A-C-Ch-2

The Medical Licensure Commission, at its meeting on August 27, 2025, approved the following rule to be published for public comment in the *Alabama Administrative Monthly*.

- Administrative Rule 545-X-A-C-Ch-2, *Application for Reinstatement*

This rule amendment proposed language that modifies the licensure reinstatement application concerning physician wellness and fitness to practice.

The rule was published in Volume XLIII, Issue No. 12 of the *Alabama Administrative Monthly*, dated September 30, 2025. No public comments were received.

Should the rule be approved for final adoption and with an expected publication date of December 31, 2025, the anticipated effective date is February 14, 2026.

Attachments:

- Administrative Rule 545-X-A-C-Ch-2, filed September 17, 2025

**TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION**

Control: 545

Department or Agency: ALABAMA DEPARTMENT OF MEDICAL LICENSURE COMMISSION

Rule No.: 545-X-A-C-Ch-2

Rule Title: Application For Reinstatement

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

Wednesday, September 17, 2025

SEP 17, 2025

LEGISLATIVE SVC AGENCY

ALABAMA DEPARTMENT OF MEDICAL LICENSURE COMMISSION

NOTICE OF INTENDED ACTION

AGENCY NAME: Medical Licensure Commission of Alabama

RULE NO. & TITLE: 545-X-A-C-Ch-2 Application For Reinstatement

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Medical Licensure Commission proposes a rule amendment to modify language from the reinstatement application concerning physician wellness and fitness to practice.

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, November 4, 2025

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-A-C-Ch-2

Application For Reinstatement.

Appendix C/Chapter 2

APPLICATION FOR REINSTATEMENT

[Removed image:]

APPLICATION FOR REINSTATEMENT

LICENSE NUMBER (IF KNOWN): _____

NAME IN FULL: _____

(Last Name)

(First Name)

(Middle Name)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

COUNTY: _____ HOME TELEPHONE: _____

HOME E-MAIL ADDRESS: _____

ARE YOU CURRENTLY IN ACTIVE CLINICAL PRACTICE IN ANY STATE?

YES

NO

TYPE OF PRACTICE: _____

PRACTICE ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PRACTICE TELEPHONE: _____

PRACTICE E-MAIL ADDRESS: _____

Please specify the following:

Public Address: _____ Home Address: _____ Practice Address: _____

Mailing Address: _____ Home Address: _____ Practice Address: _____

Reinstatement & Criminal Background Check Fee \$ _____

MAKE ALL CHECKS PAYABLE TO MEDICAL LICENSURE COMMISSION OF ALABAMA or PAY ONLINE
AT ALBME.GOV

ALL ACTIVE LICENSES EXPIRE DECEMBER 31 OF EACH YEAR

LICENSE NUMBER (IF KNOWN) : _____

—
—

[Removed image:]

DATE OF BIRTH: _____

CURRENT PRACTICE

SPECIALTY: _____

BOARD CERTIFIED: YES NO

Name of Board (If yes above): _____

Date of Certification and/or Re-certification (if yes above): _____

Other states or jurisdictions in which you are currently licensed: _____

****CERTIFICATION OF CME COMPLIANCE**

I hereby certify that I have met the annual minimum continuing medical education requirement of twenty-five (25) AMA PRA Category 1 Credits or equivalent continuing medical education within the preceding twelve (12) months.

SINCE YOUR LICENSE WAS LAST ACTIVE IN ALABAMA (Unless otherwise indicated):

1. Have you been charged with any criminal offense (felony or misdemeanor)? (this includes driving under the influence (DUI), even if you were convicted of a lesser offense). If yes, please include a detailed explanation.

YES NO

2. Have you been convicted of a crime or offense (felony or misdemeanor) in the practice of medicine? If yes, please include a detailed explanation.

YES NO

3. Have you been convicted of any violation of state or federal law relating to controlled substances? If yes, please include a detailed explanation.

YES NO

4. Have you been denied a state or federal controlled substances certificate? If yes, please include a detailed explanation.

NAME IN FULL: _____

(Last Name)

(First Name)

(Middle Name)

[Removed image:]

5. Has your certificate of qualification or license to practice medicine in any state been suspended, revoked, restricted, curtailed, voluntarily surrendered, or disciplined in any manner? If yes, please include a detailed explanation.

6. Have your staff privileges at any hospital or healthcare facility been revoked, suspended, curtailed, limited, restricted, or voluntarily surrendered? If yes, please include a detailed explanation.

7. Have you been denied a certificate of qualification or a license to practice medicine in any state, or has your application for a certificate of qualification or license to practice medicine been withdrawn under threat of denial? If yes, please include a detailed explanation.

8. Have you had a judgement rendered against you, or an action settled relating to the performance of your professional service? If yes, please include a detailed explanation.

9. Are you the subject of an investigation, or has a formal complaint been filed against you or your license by any licensing board, state or federal, regulatory or law enforcement agency? If yes, please include a detailed explanation.

10. Have you engaged in the excessive use of alcohol, controlled substances, or the use of illegal drugs, or received any therapy or treatment for alcohol or drug use or sexual boundary issues? If you are a participant in the Alabama Professionals Health Program and are in compliance with your contract, you may answer "NO" to this question, such answer for this purpose will not be deemed upon certification as providing false information to the Alabama Board of Medical Examiners or the Alabama Medical Licensure Commission. If yes, please include a detailed explanation.

YES **NO**

11. **IMPORTANT:** The Commission recognizes that licensees encounter health conditions, including those involving mental health and substance use disorders, just as their patients and other healthcare providers do. The Commission expects its licensees to address their health concerns and ensure patient safety. Options include anonymously self-referring to the Alabama Professionals Health Program (www.alabamaphp.weebly.com), a physician advocacy organization dedicated to

HOME ADDRESS:

[Removed image:]

improving the health and wellness of medical professionals in a confidential manner. The failure to adequately address a health condition, where the licensee is unable to practice medicine with reasonable skill and safety to patients, can result in the Commission taking action against the license to practice medicine.

Please initial certifying that you understand and acknowledge your duty as a licensee to address any such condition as stated above.

12. Has your medical training or medical practice been interrupted or suspended for a period longer than 60 days for any reason other than vacation, maternity leave, or retirement? If yes, please include a detailed explanation.

YES NO

RELEASE/CERTIFICATION

I understand and agree that by signing my name, I attest that the foregoing information has been provided by me and is true and correct to the best of my knowledge, information, and belief.

Knowingly providing false information to the Alabama Board of Medical Examiners or Alabama Medical Licensure Commission could result in disciplinary action.

I understand that the information contained herein may be subject to public inspection or disclosure, and I hereby release the Alabama Medical Licensure Commission and the Alabama Board of Medical Examiners from any and all claims or liability associated with the use or dissemination of the information contained herein.

Physician Signature

SWORN to and subscribed before me this _____ day of _____, 20____

Notary Public Signature

My commission expires: _____

CITY: _____ STATE: _____ ZIP: _____

COUNTY: _____ HOME TELEPHONE: _____

HOME E-MAIL ADDRESS: _____

ARE YOU CURRENTLY IN ACTIVE CLINICAL PRACTICE IN ANY STATE?

Yes No

TYPE OF PRACTICE: _____

PRACTICE ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PRACTICE TELEPHONE: _____

PRACTICE E-MAIL ADDRESS: _____

Please specify the following:

Public Address: _____ Home Address: _____ Practice Address: _____

Mailing Address: _____ Home Address: _____ Practice Address: _____

Reinstatement & Criminal Background Check Fee \$ _____

MAKE CHECKS PAYABLE TO: MEDICAL LICENSURE COMMISSION OF ALABAMA or PAY
ONLINE AT ALBME.GOV.

ALL ACTIVE LICENSES EXPIRE DECEMBER 31 OF EACH YEAR

—
Date of Birth: _____

—
Current Practice Information: _____

—
Specialty: _____

Board Certified: Yes No

Name of Board (If yes above): _____

Date of Certification and/or Re-Certification (If yes above): _____

Other states or jurisdictions in which you are currently licensed:

CERTIFICATION OF CME COMPLIANCE

I hereby certify that I have met the annual minimum continuing medical education requirement of twenty-five (25) AMA PRA Category 1 Credits or equivalent continuing medical education within the preceding twelve (12) months.

SINCE YOUR LICENSE WAS LAST ACTIVE IN ALABAMA (Unless otherwise indicated):

—
1. Have you been charged with any criminal offense (felony or misdemeanor)? (This includes driving under the influence (DUI), even if you were convicted of a lesser offense). If yes, please include a detailed explanation.

Yes No

2. Have you been convicted of a crime of offense (felony or misdemeanor) in the practice of medicine? If yes, please include a detailed explanation.

Yes _____ No _____

3. Have you been convicted of any violation of state or federal law relating to controlled substances? If yes, please include a detailed explanation.

Yes _____ No _____

4. Have you been denied a state or federal controlled substances certificate? If yes, please include a detailed explanation.

Yes _____ No _____

5. Has your certificate of qualification or license to practice medicine in any state been suspended, revoked, restricted, curtailed, voluntarily surrendered, or disciplined in any manor? If yes, please include a detailed explanation.

Yes _____ No _____

6. Have your staff privileges at any hospital or healthcare facility been revoked, suspended, curtailed, limited, restricted, or voluntarily surrendered? If yes, please include a detailed explanation.

Yes _____ No _____

7. Have you been denied a certificate of qualification or a license to practice medicine in any state, or has your application for a certificate of qualification or license to practice medicine been withdrawn under threat of denial? If yes, please include a detailed explanation.

Yes _____ No _____

8. Have you had a judgement rendered against you, or an action settled relating to the performance of your professional service? If yes, please include a detailed explanation.

Yes _____ No _____

9. Are you the subject of an investigation, or has a formal complaint been filed against you or your license by any licensing board, state or federal, regulatory or law enforcement agency? If yes, please include a detailed explanation.

Yes No

10. Are you currently engaged in the excessive use of alcohol, controlled substances, or the illegal use of drugs? ("Currently" means sufficiently recently to justify a reasonable belief that the use of the substance may have an ongoing impact on one's ability to practice medicine with reasonable skill and safety to patients. It is not limited to the day of, or within a matter of days or weeks before the date of this application. Rather, it means that it has occurred recently enough to indicate the individual is actively engaged in such conduct. "Illegal use of drugs" refers to drugs whose possession or distribution is regulated by the Controlled Substances Act. It does not include the use of a drug taken under supervision by a licensed health care professional, or other uses authorized by the Controlled Substances Act or other provision of Federal law. The term does include, however, the unlawful use of prescription controlled substances.)

Yes No

11. Have you received any therapy or treatment for alcohol or drug use? If you are a participant in the Alabama Professionals Health Program ("APHP") and are in compliance with your contract, you may answer "No" to this question, and such answer for this purpose will not be deemed upon certification as providing false information to the Alabama Board of Medical Examiners or the Medical Licensure Commission of Alabama. If yes, please provide details.

Yes No

12. Have you been charged, investigated, sanctioned, or have there been any complaints filed against you, relating to sexual boundary issues?

Yes No

13. **IMPORTANT:** The Commission recognizes that licensees encounter health conditions, including those involving mental health and substance use disorders, just as their patients and other healthcare providers do. The Commission expects its licensees to address their health concerns and ensure patient safety. Options include anonymously self-referring to the Alabama Physician Health Program (www.alabamaphp.weebly.com), a physician advocacy organization dedicated to improving the health and wellness of medical professionals in a confidential manner.

The failure to adequately address a health condition, where the licensee is unable to practice medicine with reasonable skill and safety to patients, can result in the Commission taking action against the license to practice medicine.

Please initial certifying that you understand and acknowledge your duty as a licensee to address any such condition as stated above.

14. Has your medical training or medical practice been interrupted or suspended for a period longer than 60 days for any reason other than vacation, maternity leave, or retirement? If yes, please include a detailed explanation.

Yes No

RELEASE/CERTIFICATION:

I understand and agree that by signing my name, I attest that the foregoing information has been provided by me and is true and correct to the best of my knowledge, information, and belief.

Knowingly providing false information to the Alabama Board of Medical Examiners or Medical Licensure Commission of Alabama Could result in disciplinary action.

I understand that the information contained herein may be subject to public inspection or disclosure, and I hereby

release the Alabama Medical Licensure Commission and the Alabama Board of Medical Examiners from any and all claims or liability associated with the use or dissemination of the information contained herein.

Physician Signature

SWORN to and subscribed before me this day of
, 20 .

Notary Signature

My Commission Expires:

Author: Alabama Medical Licensure Commission

Statutory Authority: Code of Ala. 1975,

History: New Forms: Filed November 25, 2003; effective December 30, 2003. **Amended:** Filed April 23, 2004; effective May 28, 2004.

Amended: Filed February 27, 2006; effective April 3, 2006.

Amended: Filed November 30, 2007; effective January 4, 2008.

Amended: Filed October 29, 2008; effective December 3, 2008.

Amended: Filed April 5, 2011; effective May 10, 2011. **Amended:**

Filed January 11, 2019; effective February 25, 2019. **Repealed**

and New Rule: Published July 29, 2022; effective September 12

2022. **Amended:** Published ; effective .

EXHIBIT
F

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,
vs.
GARY ROYCE WISNER, M.D.,
Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2018-155

ORDER

This matter comes before the Medical Licensure Commission of Alabama on Respondent's request, filed October 14, 2025, to reinstate his license to full and unrestricted status. Respondent has completed the requirements imposed by the Consent Decree entered on November 27, 2023, and the Board does not oppose Respondent's request. For good cause shown, therefore, it is ordered that Respondent's license to practice medicine and/or osteopathy in the State of Alabama, No. MD.19841, is restored to full and unrestricted status.

DONE on this the 21st day of November, 2025.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

E-SIGNED by Jorge Alsip, M.D.
on 2025-11-21 20:50:18 CST

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

EXHIBIT

G

**In re: the matter of
BRICE C. BURKE, M.D.**

**BEFORE THE MEDICAL
LICENSURE COMMISSION
OF ALABAMA**

ORDER

Medical Licensure Commission of Alabama has received information that Dr. Burke has fully satisfied all requirements for the issuance of a full and unrestricted license to practice medicine and/or osteopathy in the State of Alabama. It is therefore ordered that: (1) Brice C. Burke, M.D., possesses a full and unrestricted license to practice medicine and/or osteopathy in the State of Alabama, without contingencies or conditions of any kind; and (2) to the extent that the Commission's Order of March 9, 2023 implies otherwise, that Order is vacated.

DONE on this the 21st day of November, 2025.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

E-SIGNED by Jorge Alsip, M.D.
on 2025-11-21 20:49:16 CST

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

EXHIBIT

H

ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,

Complainant,

v.

ERNEST GEORGE BURCH, M.D.,

Respondent.

BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA

CASE NO. 2016-015

ORDER

This matter is before the Medical Licensure Commission of Alabama on Respondent's request, submitted via e-mail on September 30, 2025, to amend the Consent Order entered in this matter on May 25, 2016 to vacate the license reprimand imposed in that order. Upon consideration by the full Commission, it is ordered that Respondent's request is granted, and the Consent Order of May 25, 2016 is amended *nunc pro tunc* as follows:

First, by striking out the following:

“1. That the license to practice medicine of the Respondent, ERNEST GEORGE BURCH, M.D., license certificate number MD.23467, be, and is hereby REPRIMANDED.”

Second, by re-numbering the subsequent numbered paragraphs accordingly.

DONE on this the 21st day of November, 2025.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

E-SIGNED by Jorge Alsip, M.D.
on 2025-11-21 20:48:58 CST

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

EXHIBIT

I

**In re: ROBERT WAYNE SMITH,
M.D., License No. MD.10508**

**BEFORE THE MEDICAL
LICENSURE COMMISSION
OF ALABAMA**

ORDER

This matter is before the Medical Licensure Commission of Alabama on Dr. Smith's voluntary surrender of his license to practice medicine in Alabama, identified as MD.10508. The Commission accepts Dr. Smith's voluntary surrender.

DONE on this the 21st day of November, 2025.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

E-SIGNED by Jorge Alsip, M.D.
on 2025-11-21 20:49:38 CST

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

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

v.

STEVEN MARK HAYDEN, M.D.,

Respondent.

EXHIBIT

J

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2025-205

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter came before the Medical Licensure Commission of Alabama for a contested case hearing on November 19, 2025. After receiving and considering all of the relevant evidence and argument, we find the Respondent, Steven Mark Hayden, M.D., guilty of 10 of the 13 disciplinary charges alleged by the Board and impose professional discipline as outlined below.

I. Introduction and Procedural History

The Respondent in this case is Steven Mark Hayden, M.D. (“Respondent”). Respondent is a licensee of this Commission who was first licensed on June 30, 1987, having been issued license No. MD.13468.

This case began with the Board’s filing of an Administrative Complaint and Petition for Summary Suspension of License (“the Administrative Complaint”) with the Commission on or about August 25, 2025. In accordance with Ala. Code § 34-

24-361(f) and Ala. Admin. Code r. 545-X-3-13(1)(a), on August 28, 2025, we entered an order summarily suspending Respondent's license to practice medicine and set this matter for a full evidentiary hearing.

The Administrative Complaint contains a total of 13 counts: twelve counts of unprofessional conduct in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-X-4-.06, and a thirteenth count alleging that Respondent is unable to practice medicine with reasonable skill and safety to patients. The counts are best summarized as follows:

- Count 1: Unprofessional Conduct in that Respondent, from October 2011 through the present day, unlawfully sought to exercise control over Western Steel, Inc.;
- Count 2: Unprofessional Conduct in that Respondent, in or about October 2011, created unauthorized Nevada Trusts and attempted to transfer all of the assets of his patient and uncle, [REDACTED] to those trusts;
- Count 3: Unprofessional Conduct in that Respondent, in or about March 2013, was held in contempt by the Jefferson County Circuit Court for repeated violations of a preliminary injunction order issued by that court;

- Count 4: Unprofessional Conduct in that Respondent, in or about May 2013, was held in contempt by the Jefferson County Circuit Court for attempting to intimidate a witness in a judicial proceeding before that court;
- Count 5: Unprofessional Conduct in that Respondent, on or about August 20, 2013, gave false testimony before the Jefferson County Circuit Court;
- Count 6: Unprofessional Conduct in that Respondent, in or about December 2020, used the federal employer identification number of Western Steel, Inc. without authorization;
- Count 7: Unprofessional Conduct in that Respondent, on or about July 8, 2021, was declared a vexatious litigant by the Eighth Judicial District Court for Clark County, Nevada;
- Count 8: Unprofessional Conduct in that Respondent, on or about April 17, 2023, was held in contempt by the Jefferson County Circuit Court for representing himself to the Internal Revenue Service as President of Western Steel, Inc. and submitting a form to change the tax classification of that corporation from subchapter S to subchapter C, in violation of the orders of that court;

- Count 9: Unprofessional Conduct in that Respondent, on or about August 23, 2023, was found in contempt by the Jefferson County Circuit Court for 13 willful violations of that court's prior orders, and was sentenced to 85 days' incarceration in the Jefferson County Jail;
- Count 10: Unprofessional Conduct in that Respondent, on or about March 28, 2025, was declared a vexatious litigant by the United States Bankruptcy Court for the District of Nevada;
- Count 11: Unprofessional Conduct in that Respondent, on or about May 2, 2025, was declared a vexatious litigant by the Elmore County Circuit Court;
- Count 12: Unprofessional Conduct in that Respondent is alleged to have conducted himself disgracefully while an inmate in the Jefferson County Jail serving part of the sentence referred to above in Count 9;
- Count 13: that Respondent, from October 2011 through the present, "has demonstrated an inability to practice medicine with reasonable skill and safety to his patients by reason of illness and as a result of a mental and physical condition through his pattern and practice of unprofessional conduct," contrary to Ala. Code § 34-24-360(19)a.

On these 13 grounds, the Board urges the Commission, after a hearing, to "revoke the license to practice medicine of Respondent, assess the maximum fine,

and/or take such other actions as the Commission may deem appropriate based upon the evidence presented for consideration.”

On November 19, 2025, we conducted a contested case hearing as prescribed in Ala. Admin. Code r. 545-X-3. The case supporting disciplinary action was presented by the Alabama Board of Medical Examiners through its attorneys E. Wilson Hunter and Alicia Harrison. Respondent appeared in person and testified before the Commission, and was not represented by legal counsel. Pursuant to Ala. Admin. Code r. 545-X-3-.08(1), the Honorable William R. Gordon presided as Hearing Officer. Before opening statements were given, Commissioner Seale disclosed a potential conflict of interest and his request for recusal was granted by Chairman Alsip. Consequently, Commissioner Seale was not present for the remainder of the hearing and took no part in the deliberation of this matter. Each side was offered the opportunity to present evidence and argument in support of its respective contentions, and to cross-examine the witnesses presented by the other side. Board Exhibits 1-34, excluding Board Exhibit 19, were received into evidence. During the course of the hearing, the Board agreed to dismiss Counts 7, 10, and 12 without prejudice. After careful review, we have made our own independent judgments regarding the weight and credibility to be afforded to the evidence, and the fair and reasonable inferences to be drawn from it. Having done so, and as

prescribed in Ala. Code § 41-22-16, we enter the following Findings of Fact and Conclusions of Law.

II. Findings of Fact

1. Respondent was first licensed to practice medicine in Alabama on June 30, 1987, under license number MD.13468.

2. [REDACTED] is the founder and sole shareholder of Western Steel, Inc., a viable business in the Hueytown area. [REDACTED] is Respondent's uncle. [REDACTED] apparently had no sons of his own, but had many nephews, including Respondent. By all accounts, the relationship between [REDACTED] and Respondent was once very close and warm. [REDACTED] once considered Respondent to be "the son he never had," and took part in raising Respondent from a young age. Respondent lived in [REDACTED]'s home for a few years while Respondent was in medical school. [REDACTED] was the "Best Man" at Respondent's wedding ceremony in 1990. All witnesses also agree that [REDACTED] was once a patient of Respondent. After Respondent became licensed to practice medicine in Alabama, Respondent from time-to-time treated [REDACTED] for various minor ailments. Respondent admits that he gave [REDACTED] either a prescription for medication, or an office sample of the medicine, on or near the date of November 25, 2008.

3. [REDACTED] is currently 96 years old. [REDACTED] testified in person before the Commission. We found [REDACTED] to have remarkably clear recall of the relevant facts,

with lucid insight and understanding. We found him to be a highly credible witness. Respondent also appeared in person and testified before the Commission. His affect and demeanor were often, although not always, erratic. We generally found Respondent not to be a credible witness.¹

4. In 2007, when [REDACTED] would have been about 78 years old, and on a date that precedes the date on which Respondent last provided medical treatment to [REDACTED] Respondent proposed to [REDACTED] that the two men exchange Powers of Attorney. [REDACTED] accepted Respondent's suggestion, and they did so.

5. As will become clear later in these Findings of Fact, Respondent did not act on the Power of Attorney until July 2011. From July 2011 through February 2012, Respondent took a long list of putative actions under the Power of Attorney, including the formation of two Nevada trusts, the filing of a sham lawsuit in a Nevada state court and subsequent establishment of a sham "compromise

¹ Having seen and heard from Respondent, Respondent's wife, and [REDACTED] in person, our credibility determinations are remarkably similar to those made by the Jefferson County Circuit Court in its Final Judgment entered on August 20, 2013: "In testifying, for example, plaintiff [REDACTED] was clear and convincing. He was calm throughout and demonstrated a lucid recollection of the events at issue, down to minor details. He made for a most believable witness. By contrast, defendant Mark Hayden was alternatively evasive, disingenuous, and combative (as he was during a prior proceeding in this action), leading the Court to discount his testimony significantly. Similarly, [Respondent's wife,] Angela Hayden[,] was nervous, jittery and distracted throughout her testimony. She also made for a witness unworthy of much belief." (Board Ex. 8 at 2.) Our in-person observation and assessment of [REDACTED]'s lucidity and credibility is consonant with the Jefferson County Circuit Court's observation that "[REDACTED] testified ably and credibly as to his business history, the nature and extent of his assets and interests, and his explicit desires and wishes to retain control over his own assets." (*Id.* at 17.)

settlement," and other actions, all of which culminated in Respondent and his wife, through the aforementioned trusts, purportedly having full control over all of [REDACTED] assets, right down to the pencils on his office desk.

6. Fred Campbell has worked at Western Steel since July 1987, and has been President of Western Steel since 2012. On or about February 1, 2012, Campbell was at work at Western Steel. [REDACTED] had left the office to go to the bank. Respondent and [REDACTED]s then-wife, Frankie [REDACTED] arrived at the offices of Western Steel. As they were arriving, Frankie [REDACTED] placed a 911 call, claiming that [REDACTED] was wielding a sawed-off shotgun and holding hostages. Deputies from the Jefferson County Sheriff's Office descended upon Western Steel bearing rifles, apparently believing that they were responding to an actual hostage scene. Jessica Campbell, Campbell's daughter, has been employed at Western Steel since 2008. Jessica Campbell was also present at Western Steel during deputies' response to the 911 call. She recalls later hearing Respondent's voice, along with Frankie [REDACTED], on the tape of the 911 call. She also recalls seeing Respondent walking the halls of Western Steel that day, claiming that he was the new owner, and demanding to know who everybody was. Jessica Campbell recalls seeing deputies approaching her father, Fred Campbell, with firearms drawn, asking where the hostages were.

7. After learning some information about Respondent's putative actions under the Power of Attorney, [REDACTED] revoked the Power of Attorney, and filed a

lawsuit in the Jefferson County Circuit Court against Respondent, seeking to invalidate Respondent's putative actions. (Board Ex. 8.) *See [REDACTED] et al. v. Steven Mark Hayden, et al.*, No. CV-2012-0209 (Jefferson County Circuit Court).

8. Before [REDACTED]'s lawsuit against Respondent even went to trial, the Jefferson County Circuit Court held Respondent in contempt two times. (Board Ex. 6, 7.)

9. The Court first held Respondent in contempt on March 12, 2013.² About one year prior, on March 30, 2012, the Jefferson County Circuit Court had entered a preliminary injunction that enjoined Respondent and his wife, Angela Hayden, from taking any actions whatsoever with respect to the assets of [REDACTED]

² The Court held a hearing on plaintiffs' petition for contempt on February 22, 2013; neither Respondent nor his wife appeared at the hearing, despite having been ordered to appear in person. Respondent, only about an hour before the contempt hearing was to begin, filed an affidavit stating that "I am a medical doctor obligated to work in an emergency room on February 22, 2013." The Court expressly found Respondent's affidavit not to be credible. (Board Ex. 6 at 2.) Respondent also contended that the preliminary injunction order that he was accused of violating was invalid because it was, he said, issued *ex parte*, notwithstanding the fact that Respondent was personally present at the preliminary injunction hearing and personally participated in negotiating its terms. (Board Ex. 6 at 2.) The Court pointedly described the falsity of this claim: "The continuing assertion by the defendants and their counsel that the March 28, 2012 hearing was conducted *ex parte* can only be regarded as a continuing effort to *knowingly misrepresent what happened*. It is particularly troubling that the defendants and their counsel have continued to perpetuate this lie not only before this Court but in filings elsewhere." (Board Ex. 6 at 5 (emphasis added).) In this connection, the Court further found that Respondent and his attorney, Austin Burdick, Esq., "knowingly and intentionally filed false and misleading pleadings in this Court and in the Alabama Supreme Court, specifically regarding the false assertion that the March 28, 2012 hearing and subsequent Preliminary Injunction Order were conducted and entered on an *ex parte* basis." (*Id.* at 16 (emphasis added).)

Western Steel, or 10:16 Mining Company. (See Board Ex. 6 at 8-10.)

Notwithstanding the Court's preliminary injunction order, the Court found that Respondent, alone and/or in concert with others, had done all of the following:

1. On December 10, 2012, Defendants obtained from the Jefferson County Probate Court a certified copy of a document they had filed on January 27, 2012, purporting to be a "Certificate of Stock of Western Steel Incorporated." The document states, "This certifies that [REDACTED] [REDACTED] Nevada Spendthrift Trust is sole owner of all 13515 shares of outstanding stock of Western Steel Inc. a corporation of Alabama whose registered address is 3360 Davey Allison BLVD Hueytown Alabama." The Defendants then filed the same with the Alabama Secretary of State Office on December 17, 2012.
2. On December 20, 2012, Mark Hayden executed and filed a "Change of Registered Agent or Registered Office by Entity" notice with the Alabama Secretary of State. In this filing, Mark Hayden identifies himself as the "President" of Western Steen [sic]. The filing purports to designate Steven Mark Hayden as Western Steel's registered agent. The filing attempts to change the registered mailing address of Western Steel, Inc. from Western Steel's offices at 3360 Davey Allison Blvd. Hueytown, Alabama 35203 (where Western Steel is actually located) to defendant Hayden's residence at 76297 Tallassee Highway, Wetumpka, Alabama 36092. The form states, "I, the undersigned, certify that any change specified in this document is authorized by the entity."
3. On December 20, 2012, Mark Hayden filed in the Elmore County Probate Office a document entitled "Western Steel Inc. Notice of Resignation and Replacement of Gene Calhoun." The document was executed by Mark Hayden, as "President" of Western Steel, on December 20, 2012, in the presence of a notary public. The sole purpose of the document appears to be to designate and identify Mark Hayden as "President" of Western Steel.
4. Attached to the "Notice of Resignation," and therefore filed on December 20, 2012, the defendants also filed in the Elmore County Probate Office an untitled document that purports to be "Resolutions"

by Steven Mark Hayden, Angela Rae Hayden and Frankie [REDACTED]. This document was executed by Mark Hayden on December 20, 2012, in the presence of a notary public. Other signatures on the document appear to have been executed on or about January 31, 2012.

5. On December 21, 2012, the defendants filed the above-referenced "Resolutions" with the Alabama Secretary of State Office. The "Resolutions" makes the following representations, among others: (1) "[REDACTED] still has no rights to stock, records, assets, property, financial funds or bank accounts of Western Steel Inc;" (2) "the President Steven Mark Hayden and Secretary Frankie [REDACTED] are authorized to remove [REDACTED] from the premises at their discretion"; (3) "that all corporate records regarding stock ownership Bylaws and articles of incorporation and minutes and other similar documents shall solely be in possession of Steven Mark Hayden and Frankie [REDACTED]" (4) "President Steven Mark Hayden and Secretary Frankie [REDACTED] shall have authority over bank account and funds. But will not use these funds for benefit of themselves or their estates."

6. On December 21, 2012, the defendants recorded in the Elmore County Probate Office, and filed in the Alabama Secretary of State Office, a document entitled, "Bylaws of Western Steel Inc." This document was notarized by Angela Rae Hayden on December 21, 2012. The "Bylaws" make the following representations, among others: (1) the president of Western Steel is listed as Defendant Steven Mark Hayden; (2) the owner of Western Steel is listed as the [REDACTED] [REDACTED] Nevada Spendthrift Trust; and (3) Defendant Steven Mark Hayden is identified as the CEO of Western Steel and as having control over all of Western Steel's deeds, mortgages, assignments of judgments, banking, and litigation.

7. On December 21, 2012, the defendants filed in the Alabama Secretary of State Office a document entitled "Certificate of Western Steel, Inc." The "Certificate of Western Steel Inc." makes the following representations: (1) the sole stockholder of Western Steel, Inc. is identified as the [REDACTED] Nevada Spendthrift Trust; (2) Mark Hayden, Angela Hayden and Frankie [REDACTED] are identified as directors of Western Steel.

8. On January 23, 2013, the defendants, by, through and with the assistance of their counsel of record, Austin Burdick, Esq., filed in this

Court, purportedly on behalf of Western Steel, Inc., a document entitled Notice of Appearance, Stipulations and Motion to Strike. This filing declares that Steven Mark Hayden, as “president” of Western Steel, Inc., has hired Mr. Burdick as counsel for Western Steel, Inc., and further purports to include Western Steel’s stipulation to all facts set forth in Defendants’ Motion for Recusal, and moves for an order striking all previously filed pleadings by Western Steel, Inc.

9. **On January 24, 2013**, the defendants, by, through and with the assistance of their counsel of record in this matter, Austin Burdick, Esq., filed in the Circuit Court of Elmore County, in CV-2011-0080 (which had been settled by the parties on April 6, 2011), a Motion to Intervene, purportedly on behalf of Western Steel, Inc. Said pleading purports to be a motion to join or intervene by Western Steel, Inc., in a matter in which Steven Mark Hayden is the plaintiff and [REDACTED] [REDACTED] among others, is a defendant.

10. **On January 24, 2013**, Defendants, by, through and with the assistance of their counsel of record in this matter, Austin Burdick, Esq., filed in the Circuit Court of Elmore County, in CV-2011-0080, a Motion to Intervene, purportedly on behalf of the “[REDACTED] Nevada Spendthrift Trust.” The substance of that motion is an assertion that the Trust, and not Mr. [REDACTED] is the rightful owner of 10:16 Mining Corp.

(Board Ex. 6 at 10-11 (boldface in original).)

10. Respondent and the other defendants did “not deny making the filings complained of.” Rather, they claimed, they made those filings “only [for the purpose of] trying to help Western Steel and Mr. [REDACTED] The Court rejected this claim of benevolent motivation as “patently absurd.” (Board Ex. 6 at 13.)

11. The Court found that Respondent’s (and his wife’s) creation and/or filing of the above-referenced documents violated the Court’s preliminary injunction and ordered that Respondent be sanctioned:

[T]he defendants knowingly filed or directed the filing of the various documents complained of by the plaintiffs, in conscious disregard of their obligations under the Preliminary Injunction Order.

* * *

[T]he filing of the documents with the Alabama Secretary of State and with the Elmore County Probate Court, after the entry of entry of [sic] the Preliminary Injunction Order, constitutes the defendants' holding themselves out as owners, directors, and officers of Western Steel, and taking action with respect to Western Steel. Each of these actions is a direct and knowing violation of the above-quoted provisions of the Preliminary Injunction Order.

* * *

The Court therefore finds defendants Mark Hayden and Angela Hayden, individually and as Trustee of the purported [REDACTED] [REDACTED] Nevada Spendthrift Trust, in constructive contempt of court for knowingly violating the explicit, unambiguous prohibitions of the Preliminary Injunction Order, and, further, that the defendants are due to be sanctioned for their conduct described herein.

(Board Ex. 6 at 13, 14, 15 (emphasis added).)³

12. The Jefferson County Circuit Court held Respondent in contempt a second time in May 2013, this time for attempting to intimidate Dr. Daniel C. Marson, an individual who had been designated as an expert witness to testify as to [REDACTED]'s mental competency. The Court found, in relevant part:

³ The Court further found that Respondent caused his attorney, Austin Burdick, Esq., to "knowingly commit[] a fraud upon this Court" by filing a purported "Notice of Appearance, Stipulations and Motion to Strike," purportedly on behalf of Western Steel. (Board Ex. 6 at 14.) That pleading, the Court further found, was "disingenuous and not made in good faith. The Court hereby finds that Steven Mark Hayden knowingly and intentionally directed his legal counsel to file a false and misleading pleading in this matter." (*Id.* at 17.)

Having already been found in contempt by prior order in this action, defendant Steven Mark Hayden confronts yet another motion for contempt, this one premised on a communication from him to Dr. Daniel C. Marson, the plaintiffs' identified expert witness on the issue of plaintiff [REDACTED]'s mental competence. The communication in question is an email directly from Hayden to Dr. Marson, which, *inter alia*, contains veiled threats to report Dr. Marson to the Alabama State Board of Psychology and to create a web-site, presumably to publicize grievances against Marson.

This email was delivered only a few days before Dr. Marson was scheduled to testify by means of deposition on written questions under Rule 31 of the Alabama Rules of Civil Procedure.

A hearing on plaintiffs' motion was held on May 9, 2013, at which time the Court heard from counsel for the parties and received testimony from Dr. Hayden. From that hearing, this Court finds that Dr. Hayden knowingly and intentionally drafted and sent the email at issue to Dr. Marson. It is further undisputed that the email had the effect of leading Dr. Marson to postpone his deposition, although it eventually occurred a few days after the hearing.

The Court concludes that there was no good justification for Dr. Hayden's sending of such an email to Dr. Marson. Coming a few days before Dr. Marson was scheduled to testify, the email may properly be regarded as an attempt to harass or intimidate a witness in an official judicial proceeding. It is a fair question whether Dr. Hayden has violated a criminal law of this state, Ala. Code § 13A-10-123, but that statute is referenced here solely to demonstrate the egregious nature of Dr. Hayden's communication.

The plaintiffs' motion for sanctions is granted. Counsel for plaintiffs seeks to recover their costs in filing the pending motion. By May 31, 2013, counsel for the plaintiffs are to supplement their motion with evidence in support of a sum certain that they seek to recover.

Additionally, defendant Steven Mark Hayden is ordered not to communicate further in any way with Dr. Marson, upon pain of further sanction.

(Board Ex. 7.)

13. With Respondent already having been found in contempt two times, [REDACTED]'s lawsuit against Respondent went to trial on July 1 and 2, 2013. The Jefferson County Circuit Court entered its Final Judgment on August 20, 2013. (Board Ex. 8.) In its Final Judgment, among other things, the Court found Respondent civilly liable to [REDACTED] for breach of fiduciary duty, civil conspiracy, and conversion, declared every putative action taken by Respondent pursuant to the 2007 Power of Attorney to be null and void, declared [REDACTED] to be the sole shareholder of Western Steel, awarded [REDACTED] more than \$220,000 in compensatory and punitive damages against Respondent, and permanently enjoined Respondent from taking any further actions in connection with the assets of [REDACTED] and/or Western Steel. The Court found all of the following facts to be true:

Plaintiff [REDACTED] went into business for himself in 1954, founding Western Iron Works. [REDACTED] has been in business continually since then. In the ensuing six decades, [REDACTED] grew Western Iron Works into a profitable business, eventually merging it into another business he founded, Plaintiff Western Steel, Inc., and expanded into other businesses as well. [REDACTED] has been the sole owner of Western Steel and Western Iron Works since 1976.

Before the actions of the Defendants that gave rise to this action, [REDACTED] was the undisputed sole shareholder and sole director of Western Steel, Inc.; the undisputed owner of stock constituting a controlling interest in Merchants Commercial Bank, a commercial bank chartered in the U.S. Virgin Islands; the undisputed owner of 95% of the membership interests of Western Properties, LLC; the undisputed owner of a controlling interest in 10:16 Mining Company, Inc.; and was the owner of significant other business interests and personal assets.

On January 29, 2007, in the midst of divorce proceedings from his former wife, [REDACTED] [REDACTED] executed a general, durable power of attorney (the “POA”). The POA designated Defendant Mark Hayden, who is [REDACTED]’s nephew, as [REDACTED]’s agent and attorney-in-fact. Until the events of 2011 and 2012 giving rise to this action, Mark Hayden did not take any action as [REDACTED]’s agent under the POA.

Unbeknownst to [REDACTED] on July 28, 2011, Mark Hayden drafted and executed the “[REDACTED] Nevada Spendthrift Trust” (the “[REDACTED] Trust”). On August 1, 2011, again unbeknownst to [REDACTED] Mark Hayden executed a second trust, the “[REDACTED] Family Nevada Spendthrift Trust” (the “[REDACTED] Family Trust”). Collectively these have been referred to as the “Nevada Trusts” in the course of this proceeding. The Nevada Trusts are identical except for their names. Mark Hayden was the grantor and the initial trustee of both Nevada Trusts. Although Hayden never formally resigned as a trustee of the [REDACTED] Trust, he designated his own wife, Angela Hayden, as a trustee of the [REDACTED] Trust on or about December 13, 2011.

Mark Hayden remains the trustee of the [REDACTED] Family Trust and the “trust protector” of both Nevada Trusts. As the grantor and as so-called trust protector, Hayden retained and/or conferred upon himself the exclusive power to revoke, alter, amend or terminate the trusts, to remove a trustee and appoint a successor trustee, and to determine trustee compensation. Hayden also provided in the trusts that if he ever resigned as trustee, he would be released from any liability for his actions as trustee. Hayden purported to transfer twenty ounces of silver to each Nevada Trust to establish a trust corpus.

Each trust instrument identifies [REDACTED] as the “initial sole beneficiary.” Other than boilerplate “QSST” provisions, however, Hayden failed to include any provisions directing the trustee as to when, how or under what circumstances income or principal could be distributed to [REDACTED]. The QSST provisions simply require that all income of an S-Corp. (for example, Western Steel) be distributed to the beneficiary. There is no other provision that permits distribution of income or principal to [REDACTED] either “in the sole and absolute discretion of the trustee” or for the support, maintenance or health of

the purported sole beneficiary. In other words, other than requiring the trustee to distribute S-Corp. income to [REDACTED] there is no provision permitting distribution of trust income and principal to [REDACTED]

Mark Hayden did not inform [REDACTED] that he was establishing the Nevada Trusts, nor did he provide a copy of either trust instrument to [REDACTED] until after [REDACTED] filed the Complaint in this matter. [REDACTED] never instructed Hayden to create the trusts for his benefit. Mark Hayden never informed [REDACTED] that he intended to transfer any of [REDACTED]'s assets to any trust or that he intended to use any trust as a vehicle to control [REDACTED]'s assets.

After establishing the Nevada Trusts, and acting without [REDACTED]'s knowledge or consent, Mark Hayden then used his agency under [REDACTED]'s 2007 POA to attempt to transfer all of [REDACTED]'s assets—including his business interests, all of his real property, personal property, furniture, household items, and even the pencils on his desk—to the Nevada Trusts. From October 27, 2011 through February 7, 2012, Mark Hayden and Angela Hayden (along with [REDACTED]'s now-former wife, Frankie [REDACTED]) executed numerous documents by which Mark Hayden and the other Defendants attempted to transfer all [REDACTED]'s assets to the Nevada Trusts. These documents include the following:

- On October 27, 2011, Mark Hayden executed an instrument titled “Assignment Separate from Stock Certificate,” in which he stated that [REDACTED] transferred 550 shares of common stock of Merchants Commercial Bank to the [REDACTED] Trust.
- On October 27, 2011, Mark Hayden executed an instrument titled “Transfer of Property from [REDACTED] to [REDACTED] Trust,” in which he stated that a Compromise Settlement “was reached” between [REDACTED] and the [REDACTED] Trust, and that [REDACTED] transferred all of his rights and interest in Western Steel, Inc., Merchants Commercial Bank, Western Properties, LLC, and other properties in Shelby and Jefferson Counties to the [REDACTED] Trust.
- On December 13, 2011, Mark Hayden filed a complaint in the District Court of Clark County, Nevada, under [REDACTED]'s name, against the [REDACTED] Trust. Until the filing of the Nevada complaint, Mark Hayden had been the sole trustee of the

trust. Upon filing the complaint, he appointed his own wife, Angela Hayden, as trustee. According to Mark Hayden, the purpose of the Nevada lawsuit was to “establish” the “Compromise Settlement” that had been referenced first in the October 27, 2011 Transfer of Property instrument.

- On December 15, 2011—two days after initiating the Nevada proceeding without [REDACTED] knowledge or consent—Mark Hayden executed a “Release of All Claims” by which he tried to release himself and his wife, Angela Hayden, from any liability for any and all actions related to the Nevada Trusts.
- On or about December 29, 2011, Mark Hayden and Angela Hayden collusively entered into the “Compromise Settlement” that had been referred to as having been reached on October 27, 2011. Mark Hayden purported to act as [REDACTED]’s agent, and Angela Hayden purported to act as trustee of the [REDACTED] Trust. The Compromise Settlement purports to bind [REDACTED] to an agreement to transfer all of his assets to the [REDACTED] Trust, except for his interest in Western Properties, LLC and 10:16 Mining Co., which would be transferred or assigned to the [REDACTED] Family Trust under the Compromise Settlement.
- On December 30, 2011, Mark Hayden executed an instrument purporting to be an “Irrevocable Proxy of Merchants Commercial Bank,” by which he attempted to designate Angela Hayden as proxy for [REDACTED] Merchants Commercial Bank stock, “with full and complete discretionary power to use all [REDACTED] stock rights and interest in Merchants Commercial Bank.”
- On December 30, 2011, Mark Hayden executed an instrument purporting to be an “Action Without Meeting” on behalf of [REDACTED] as sole shareholder of Western Steel, Inc. The instrument purports, among other things, (i) to give Mark Hayden irrevocable proxy to vote the stock of Western Steel, Inc., (ii) to replace [REDACTED] as sole director with Mark Hayden as sole director, (iii) to “resolve” that the “Compromise Settlement” is accepted and shall not be interfered with by

Western Steel or its employees, and (iv) to “adopt” the Compromise Settlement as the “policy” of Western Steel.

- On December 30, 2011, Mark Hayden executed an instrument purporting to be an “Irrevocable Proxy of Western Steel” by which Hayden attempted to transfer all of [REDACTED]’s rights in Western Steel stock to Mark Hayden individually. Mark Hayden testified that the intent of the instrument was to confer, irrevocably, [REDACTED]’s rights to vote Western Steel stock to Mark Hayden as [REDACTED]’s agent.
- On January 3, 2012, Mark Hayden, as [REDACTED]’s agent, Frankie [REDACTED] [REDACTED]’s then-wife, and Angela Rae Hayden, as trustee of the [REDACTED] [REDACTED] Trust, executed a “Post Nuptial Agreement.” The Defendants attempted to revoke and invalidate a prior Prenuptial Agreement that was executed by [REDACTED] and Defendant Frankie [REDACTED] on October 22, 2008 (prior to their November 25, 2008 marriage), and replace it with the new “Postnuptial Agreement.” The provisions of the Post Nuptial Agreement are addressed in more detail herein.
- On January 6, 2012, Mark Hayden executed an instrument titled “Transfer of Western Steel Inc. From [REDACTED] [REDACTED] to [REDACTED] [REDACTED] Trust,” which he then recorded in the Probate Court of Jefferson County, Alabama. The instrument purported to transfer all of [REDACTED]’s right and interest in Western Steel, Inc. to the [REDACTED] [REDACTED] Trust. The instrument also stated that [REDACTED] would pay “millions” in damages to the [REDACTED] [REDACTED] Trust if [REDACTED] took any action that interfered with the transfer of Western Steel to the trust, and that [REDACTED] would pay all of Hayden’s and the trust’s costs in litigation if [REDACTED] challenged the transfer of Western Steel to the trust.
- On January 22, 2012, the Defendants held a meeting of the “stockholders of Western Steel, Inc.” which was memorialized in an instrument titled “MEETING OF STOCKHOLDERS of Western Steel INC.” Mark Hayden purported to act under the authority of the 2007 POA, and Angela Hayden and Frankie [REDACTED] purported to act as trustees of the [REDACTED] [REDACTED]

Nevada Spendthrift Trust.” The Defendants “resolved unanimously” that the corporation would record the trust as its sole shareholder, that the officers of Western Steel were required to comply with the “Compromise Settlement,” that the corporate officers were to communicate solely with Mark Hayden, and that Defendant Frankie [REDACTED] was elected to serve as secretary of Western Steel Inc., with authorization to transfer all stock of Western Steel Inc.

- On January 22, 2012, the Defendants executed a “Certificate of Stock of Western Steel Incorporated” purporting to designate the [REDACTED] Trust as sole owner of Western Steel.
- On January 22, 2012, Mark Hayden executed an instrument purporting to be an “Assignment of Stock” by which [REDACTED] purportedly assigned all of his stock in Western Steel, Inc. to the [REDACTED] Trust.
- On January 26, 2012, Mark Hayden executed a “Deed of Conveyance of Property of [REDACTED] which he then had recorded in the Probate Court of Jefferson County, Alabama. The deed purported to transfer [REDACTED]’s right and interest in two parcels of real estate in Bessemer, Alabama to the “[REDACTED] Nevada Spendthrift Trust.”
- On or about January 22 or January 26, 2012, Mark Hayden executed an “Assignment of Property” by which Hayden purported to transfer all of [REDACTED]’s personal property, documents and records, equipment, internet files, emails, and including “all papers pencils desk chair” located at Western Steel to the [REDACTED] Trust.
- On January 26, 2012, Defendant Frankie [REDACTED] as “Secretary” of Western Steel, and Gene G. Calhoun, acting pursuant to Mark Hayden’s instructions, executed an instrument purporting to be a second “Certificate of Stock of Western Steel Incorporated.” This stock certificate purports to certify that 13,515 shares of Western Steel are owned by the [REDACTED] Trust.
- On January 27, 2012, Mark Hayden executed a “Release of All Legal Claims” by which [REDACTED] purported to release Gene G.

Calhoun, then the president of Western Steel, from any liability of any kind.

- On January 29, 2012, the Defendants executed an instrument titled “Certified Resolutions of Western Steel, Inc.” stating that [REDACTED] had no interest in Western Steel, Inc., that [REDACTED] may be removed from the premises of Western Steel at their direction, that [REDACTED]’s name was to be removed from all Western Steel accounts, and that only the president of Western Steel and Defendant Frankie [REDACTED] shall have authority over bank accounts and funds of Western Steel.
- On January 29, 2012, Mark Hayden executed an instrument titled “Certificate of Western Steel, Inc.” stating, among other things, that Steven Mark Hayden, his wife, Angela Rae Hayden, and Frankie [REDACTED] are the Directors of Western Steel.
- On January 31, 2012, the Defendants executed an untitled document which purports to be “resolutions” of Western Steel. Among other things, the instrument purports to appoint Mark Hayden as president of Western Steel, replacing Gene G. Calhoun; permits Mark Hayden and Frankie [REDACTED] to remove [REDACTED] from the premises of Western Steel; and states that [REDACTED] has no rights to stock, records, assets, property, financial funds or bank accounts of Western Steel.
- On February 7, 2012, the Defendants executed new “Bylaws of Western Steel Inc.” Among other things, the instrument purports to give Mark Hayden, as president of Western Steel, and Frankie [REDACTED] as “secretary” of Western Steel, the right to control all litigation of Western Steel, all records of Western Steel, and all banking of Western Steel.

It is undisputed that each of these instruments was executed without [REDACTED]’s knowledge or consent. More importantly, it is undisputed that Mark Hayden, even though he was [REDACTED]’s agent, knowingly and purposely concealed these instruments from [REDACTED]—indeed, he concealed his entire plan from [REDACTED]—until he believed that [REDACTED] could not stop him. It is undisputed that during the relevant time period in 2011 and 2012, Mark Hayden and [REDACTED] spoke on the telephone or in person almost daily, yet Hayden never revealed any of his actions

as [REDACTED]'s supposed agent. It is also undisputed that [REDACTED] never instructed Mark Hayden to transfer any of his assets to the Nevada Trusts, that he never instructed Hayden to execute any of the documents that Hayden executed related to [REDACTED]'s assets, and that he did not want any of his assets to be transferred out of his name. In sum, over a period of approximately six months, Mark Hayden conceived of and executed a scheme, in conjunction with his wife to steal [REDACTED]'s assets and to place himself in a position to completely control [REDACTED]'s affairs.

[REDACTED]'s undisputed testimony is that on the evening of Friday, January 27, 2012, he was informed by Fred Campbell, then the Vice President of Western Steel, that employees had seen Mark Hayden enter the premises of Western Steel after working hours and remove numerous documents from the premises. These documents and records included corporate records of Western Steel, including its stock book, and numerous other personal files of [REDACTED]. Upon being informed of Mark Hayden's presence at the Western Steel office, [REDACTED] immediately called Hayden to confront him about the incident. [REDACTED] testified that Mark Hayden refused to disclose either his location or what he had just done, and then hung up on [REDACTED]. [REDACTED] testified that Mark Hayden did not answer numerous calls from him during the next couple of days. [REDACTED] further testified that he was subsequently informed by Frankie [REDACTED] that Mark Hayden had agreed to meet with him on Monday, January 30, 2012, at a Ruby Tuesday's restaurant in Bessemer, Alabama.

Over the weekend of January 27-29, 2012, during the same time period that he avoided contact with his principal, Hayden executed at least two new documents, referenced herein, by which he attempted to solidify his control of Western Steel.

On Monday, January 30, 2012, Mark Hayden met with [REDACTED] at Ruby Tuesday's restaurant in Bessemer, Alabama. There, Hayden announced that [REDACTED] no longer owned Western Steel. [REDACTED] refused to acknowledge Mark Hayden's actions and demanded the return of the documents and records that Hayden had taken from the Western Steel office. Mark Hayden refused to return the records and insisted that Western Steel was now owned by a trust, i.e., the [REDACTED] [REDACTED] Trust.

At some point during the conversation, Frankie [REDACTED] arrived and attempted to convince [REDACTED] to succumb to Mark Hayden's plan to assume control of [REDACTED]'s assets. [REDACTED] became very upset when informed of Mark Hayden's attempt to take control of Western Steel and upon realizing that his own wife was part of Hayden's scheme. [REDACTED] left the restaurant and returned home, only to find that Frankie [REDACTED] had changed the locks on his house and had summoned Tuscaloosa County Sheriff's deputies to the premises. [REDACTED] was permitted to take from his home an armful of clothing and personal items, and he was forced to spend the next several nights alone in a motel room in Bessemer, Alabama. By February 8, 2012, [REDACTED] secured a permanent residence in Pleasant Grove, Alabama.

On January 31, 2012, after meeting with his attorneys, [REDACTED] hand-delivered to Mark Hayden an instrument revoking the 2007 POA. [REDACTED]'s undisputed testimony is that upon receiving the revocation, Mark Hayden threw it on the ground. Within an hour, Mark Hayden emailed [REDACTED] alleging that the revocation was improper and that [REDACTED] was delusional, not of sound mind, and did not have capacity to revoke the power of attorney. Mark Hayden then threatened to post the contents of his email on the Facebook social network website "so that the world will know your state of mind."

On the following day, a bizarre incident occurred in which Frankie [REDACTED] with Mark Hayden's knowledge and approval, placed a call to 911 emergency services, to claim that [REDACTED] was on the premises of Western Steel, with a gun, and was holding people at gunpoint. [REDACTED] was not, in fact, on the premises of Western Steel at the time that Frankie [REDACTED] made the 911 call. Frankie [REDACTED] and Mark Hayden were at Western Steel, however. Frankie [REDACTED] was ultimately arrested by the Jefferson County Sheriff and charged with falsely reporting an incident and obstructing governmental operations. Fred Campbell, who was present at Western Steel at the time of the incident, testified that Mark Hayden was disruptive, was disrespectful to the law enforcement officers called to the scene, and caused Western Steel to be effectively shut down for a period of several hours because of the fabricated threat.

Mark Hayden also sought to prevent [REDACTED] from challenging Hayden's control over [REDACTED] affairs and assets by threatening

[REDACTED] attorneys. Mark Hayden threatened in emails to sue [REDACTED] attorney, Gerald Colvin, for malpractice, threatened to file a complaint against him with the Alabama state bar, and threatened to add him as a defendant in the sham Nevada lawsuit, if Colvin assisted [REDACTED] in challenging the validity of the Compromise Settlement. Mark Hayden also threatened in emails to sue [REDACTED] attorney, Tony G. Miller, and his law firm, Maynard, Cooper & Gale, if Miller or his firm provided legal assistance to [REDACTED]

Although all of Mark Hayden's secret actions as [REDACTED] agent are egregious, the Nevada lawsuit and the attempted entry of the "Compromise Settlement" warrant detailed discussion. Mark Hayden drafted and filed the lawsuit in Nevada and styled it "[REDACTED] [REDACTED] v. [REDACTED] Trust." The complaint is identified as a "Complaint for Negligence." Hayden never informed [REDACTED] that he had filed a lawsuit on his "behalf" in Nevada, a state with which [REDACTED] had no connection whatsoever. Within days of filing the lawsuit, Hayden and his wife, Angela Hayden, conspired to enter into the "Compromise Settlement" of the Nevada lawsuit. The Compromise Settlement, drafted by Mark Hayden and executed by Mark Hayden and Angela Hayden, provided, among other things, the following:

1. that [REDACTED] "agreed" that he was easily defrauded, gullible and should not have control over his own property;
2. that [REDACTED] agreed to transfer all of his property and assets of any kind whatsoever to the "[REDACTED] Nevada Spendthrift Trust" and/or the "[REDACTED] Family Nevada Spendthrift Trust" controlled by Hayden;
3. that [REDACTED] would not revoke the 2007 power of attorney and would maintain Hayden as his agent;
4. that [REDACTED] would not communicate with the employees, directors or shareholders of his companies, including Western Steel and Merchants Commercial Bank, or even with the bank at which he held his own personal accounts;
5. that [REDACTED] completely released the Haydens and held them harmless for all of their actions;

6. that if [REDACTED] ever attempted to question or interfere with Hayden's actions or with the trusts, Hayden would be entitled to place [REDACTED] in an inpatient psychiatric center in the State of Nevada, for a period of not less than 28 days, at [REDACTED] expense; and
7. that [REDACTED] would pay all the "trust's" attorney's fees and all of the Haydens' attorney's fees, up front, if [REDACTED] ever attempted to challenge their actions or the validity of the Compromise Settlement.

By his own admission, Hayden instigated the Nevada lawsuit as a pretext to enter into the "Compromise Settlement" on [REDACTED]'s "behalf." Hayden described the lawsuit and entering into the Compromise Settlement as "almost a rubber stamp."

The Court also finds the January 3, 2012 "Post Nuptial Agreement" to be an egregious example of Mark Hayden's unauthorized meddling in [REDACTED] most personal affairs. As with all of the other documents in question in this matter, Mark Hayden, as [REDACTED] agent, Angela Hayden, as trustee of the [REDACTED] Trust, and Frankie [REDACTED] (now former wife) executed and implemented the Post Nuptial Agreement without [REDACTED]'s knowledge or consent. The Post Nuptial Agreement purported to invalidate a November 2008 Prenuptial Agreement between [REDACTED] and Frankie that limited [REDACTED] obligations to Frankie in the event of a divorce or his death. In the Post Nuptial Agreement executed secretly by Mark Hayden, Angela Hayden and Frankie [REDACTED]

1. Frankie was entitled to the first \$150,000 of income from the [REDACTED] Trust (which purported to hold substantially all of [REDACTED] assets) for the rest of her life, regardless of whether she is married to [REDACTED] regardless of whether she initiated divorce proceedings or not, and regardless of whether [REDACTED] is alive;
2. all additional income of the [REDACTED] Trust was to be placed in a joint account in the name of [REDACTED] and Frankie, with Frankie's approval required before [REDACTED] could access a single dollar of the income;

3. the Post Nuptial Agreement mandates that upon [REDACTED]'s or Frankie's death the remaining balance of the joint account would pass 20% to Frankie and 20% to each of William's children; in other words, because Frankie controlled the joint account, she could accumulate the income for herself to receive upon [REDACTED]'s death.
4. the joint account is Frankie's to control regardless of status of the marriage of [REDACTED] and Frankie;
5. Frankie would continue to receive her "salary" from Western Steel of roughly \$35,000 per year for the remainder of her life; again, conferring upon her a benefit not found in the Prenuptial Agreement, and again to [REDACTED]'s detriment;
6. Angela Hayden and Frankie [REDACTED] were explicitly entitled to receive compensation for acting as trustees;
7. [REDACTED] agreed to cooperate fully with Compromise Settlement in Nevada and agreed that it is fair and reasonable in all respects.
8. [REDACTED] agreed to give all policies of life insurance on him over to Frankie and the trust.
9. [REDACTED] derives no benefit whatsoever from the Post Nuptial Agreement—no protection if Frankie files for divorce, no guaranteed right to use the income from the trust.

Mark Hayden testified that he engineered the Post Nuptial Agreement because he was afraid that Frankie [REDACTED] would sue him or the [REDACTED] Trust. In short, Mark Hayden acknowledged that he signed away all of [REDACTED]'s rights under the validly executed 2008 Prenuptial Agreement in order to shield Hayden himself, and his own wife, from liability if Frankie [REDACTED] sued them.

By his own admission, Mark Hayden kept all of the above-described actions—his entire plan, each and every action taken under the power of attorney or as a purported "director" of Western Steel—a secret from [REDACTED] until the evening of January 30, 2012, when, at Ruby Tuesday's, he presented his takeover of [REDACTED]'s assets and affairs as a *fait accompli*.

The only reasonable inference that can be drawn is that Hayden kept all of his actions secret from [REDACTED] because he knew that [REDACTED] would try to stop him once he was made aware of Hayden's plan—which is exactly what [REDACTED] did. The day after learning of Hayden's machinations, [REDACTED] revoked the 2007 POA. By February 8, 2012, [REDACTED] had secured from this Court a Temporary Restraining Order to prevent Hayden from taking any further action with respect to his property and affairs.

Mark Hayden testified that he concocted this plan to assume control of all of [REDACTED]'s assets because from 2009 through 2011 [REDACTED] invested millions of dollars in a "fraudulent" investment, 10:16 Mining Company, and was therefore, *ipso facto*, no longer capable of handling his own affairs. 10:16 Mining Company is a gold-mining company located in Clanton, Alabama, and is the subject of a separate lawsuit pending in the Circuit Court of Elmore County. The issue of whether 10:16 Mining Company was a "fraudulent" investment is not before this Court, but it is undisputed that 10:16 Mining has not been a profitable investment. [REDACTED] has testified that he invested over \$6 million dollars in 10:16 Mining Company, that he also now owns the land (the surface rights) of the mining site, and that he has seen virtually no return on his investment. [REDACTED] also testified that he now regards 10:16 Mining Company as an unsuccessful investment from that standpoint. [REDACTED] further testified that over the course of over six decades of being in business for himself, not all of his various business ventures have been successful, but more have been than have not.

(Board Ex. 8 at 2-10.)

14. In its Final Judgment, the Jefferson County Circuit Court ruled that the 2007 POA "create[d] a fiduciary relationship between an attorney-in-fact [*i.e.*, Respondent] and his principal [*i.e.*, [REDACTED]] As the Court explained, "As a fiduciary, an attorney-in-fact owes a duty to his principal to act at all times and in all ways in the principal's sole interest and consistently with the principal's wishes insofar as those can be known." (Board Ex. 8 at 10.)

15. The Court determined that Respondent's "actions, described above, clearly violate his duties." (Board Ex. 8 at 12.) The Court reasoned:

[Respondent, Mark Hayden,] intentionally used his authority to secretly deprive [REDACTED] of substantially all of his assets. In furtherance of this scheme, Mark Hayden set up the Nevada Trusts, numerous deeds, assignments, proxies, releases, conveyances, a sham lawsuit in Nevada and "Compromise Settlement," a sham "Post Nuptial Agreement" with [REDACTED] wife, and other instruments on [REDACTED] "behalf" that were contrary to [REDACTED] known desires and intent, and to [REDACTED] express detriment. Mark Hayden placed himself and his own wife in positions to profit from [REDACTED] assets, and Hayden placed himself in a position of absolute and complete authority and control over [REDACTED] property and affairs. Mark Hayden attempted to bind [REDACTED] to unconscionably punitive release and indemnification provisions in the event [REDACTED] were ever to attempt to challenge any of Hayden's actions. Mark Hayden executed multiple instruments purporting to release, indemnify and hold harmless himself and his own wife from any liability for his actions as [REDACTED] attorney-in-fact or from their actions in assuming control of [REDACTED] assets. Far from exhibiting loyalty to [REDACTED] Mark Hayden instead represented to [REDACTED] family, to [REDACTED] business associates, and to [REDACTED] employees that [REDACTED] was delusional and not competent to handle his own affairs.

Having breached his duties repeatedly, Hayden compounded his wrongs by covering up his actions until he thought himself impervious to [REDACTED] Activities undertaken in secret are anathema to the most basic concept of a fiduciary

Hayden was ultimately forced to reveal his plot only after [REDACTED] learned from Western Steel employees that Hayden had been in [REDACTED] s office, removing documents and personal files under cover of darkness. Had that not occurred, Hayden could have easily moved to set salaries, bonuses, stock dividends and other compensation for himself and his wife as officers and directors of Western Steel. Similarly, Mark Hayden reserved for himself the ability to amend the trusts that he created, or the ability to revoke the trusts entirely, i.e., he could easily have provided compensation provisions for himself as

trustee, trust protector, or the like, and could easily have inserted himself or his family members as additional beneficiaries.

Hayden contends that the 2007 POA gave him the broadest possible authority to act with respect to [REDACTED] assets, including, evidently, the power to assume complete control of [REDACTED] assets without [REDACTED]’s knowledge or consent. The Court finds this argument to be without merit. The provisions of the 2007 power of attorney are broad, but such powers are always subject to the control, and to the known wishes, desires and intent, of the principal

The 2007 power of attorney does not give Mark Hayden the authority to transfer all of [REDACTED] property to a trust, particularly to a trust that, by design, is intended to prevent [REDACTED] from exercising any dominion, control or enjoyment over his own property. The power of attorney does permit the agent to invest or reinvest his property in, among other things, “interests in trusts, investment trusts, whether of the open and/or closed fund types, and participations in common, collective or pooled trust funds or annuity contracts . . . ” on behalf of the principal. This investment provision has been wrongly construed by Mark Hayden to grant him authority to transfer all of [REDACTED] property to the Nevada Trusts. Secretly transferring everything the principal owns to a trust controlled by the agent is not, by any reasonable interpretation, an “investment” of the principal’s property in an “interest in trusts,” as there is no expectation of a return on the investment.

Similarly, the power of attorney does not permit Hayden to act for [REDACTED] with respect to his marital affairs, as Hayden did in drafting and executing the Post Nuptial Agreement. Nor is there any part of the enumerated powers that reasonably could be construed to permit Hayden to have [REDACTED] committed to inpatient psychiatric treatment in Nevada for questioning Hayden’s actions.

Finally, the 2007 POA explicitly forbids Mark Hayden from exercising the power of attorney in his own favor, but Hayden nevertheless executed multiple release, indemnification and hold harmless documents in favor of himself and his own wife, executed documents requiring [REDACTED] to pay Hayden and his wife damages if [REDACTED] ever challenged their actions, executed a document expressly providing for Angela Hayden, his own wife, to be compensated from [REDACTED]’s assets

for serving as trustee of the [REDACTED] Trust, and executed documents appointing himself as president of Western Steel and himself and his wife as directors of Western Steel.

There is also ample evidence that the [REDACTED] Trust and the [REDACTED] Family Trust are not in the best interests of William [REDACTED] particularly given that these trusts are controlled by the Haydens, who have demonstrated a complete disregard for [REDACTED]'s known desires and wishes. In spite of Mark Hayden's insistence that neither he nor Angela Hayden have profited from their actions, not only did they use the Nevada Trusts in an attempt to deprive [REDACTED] of enjoyment and control of his own assets, they have effectively set the table for themselves to profit from [REDACTED]'s assets for years to come. Mark Hayden insists that this Court and [REDACTED] should simply trust in his good intentions. In view of the contempt and disdain for [REDACTED] that Mark Hayden demonstrated in his emails and websites, to say nothing of his pattern and practice of concealing his actions from [REDACTED] as well as the fact that he has unquestionably attempted to place himself in an unassailable position of control over [REDACTED]'s assets, the Court does not find credible Mark Hayden's testimony as to his own intentions.

More importantly, while the Haydens claim that the Nevada Trusts are nominally for [REDACTED]'s sole benefit, a review of the Haydens' actions refute their assurances. The Nevada lawsuit and the resulting Compromise Settlement are manifestly not in [REDACTED]'s sole or best interests. It can scarcely be disputed that the Nevada lawsuit was a sham by any definition.^[4] Mark Hayden admitted that he acted as trustee of the [REDACTED] Trust from the day he created it until the day he filed his lawsuit in Nevada on December 13, 2012. This means that Mark Hayden, as [REDACTED]'s agent, was suing the [REDACTED] Trust for actions or inactions that must, by necessity, have occurred while Mark Hayden himself was the sole trustee and trust protector of the [REDACTED] Trust. There cannot have been any other actor or party involved than Mark Hayden. Mark Hayden admitted that the Nevada lawsuit had no intrinsic merit but was a mere pretext and subterfuge to give all of his covert actions the imprimatur of court

⁴ Later in the Final Judgment, the Court issued a declaratory ruling that the "compromise settlement" was "a fraudulent sham that is void and of no effect." (Board Ex. 8 at 20.)

approval. There was no real justiciable controversy between the “parties” to the lawsuit, and the entire matter was a fraud upon the Nevada court undertaken in [REDACTED]’s name.

The resulting Compromise Settlement is unconscionable in every respect: it gives the Haydens complete control over all of [REDACTED]’s assets, it incorporates numerous punitive and poison pill provisions expressly designed to prevent [REDACTED] from challenging the Haydens’ actions or their control over his assets, it prohibits [REDACTED] from revoking the 2007 POA, it restricts [REDACTED]’s ability even to communicate with his business associates or employees, and it fully releases the Haydens for their actions. In short, Mark Hayden, with Angela Hayden’s knowing assistance, conspired to prevent [REDACTED] as the alleged “sole beneficiary” of the trust and as the principal of the 2007 power of attorney, from ever challenging his actions as agent under the POA, or his or Angela’s actions as trustee or trust protector of the trust. Such an action is manifestly self-serving and not in [REDACTED]’s interest.

Similarly, on January 6, 2012, fresh on the heels of the Compromise Settlement, Mark Hayden, as [REDACTED]’s agent, and Angela Hayden, as trustee of [REDACTED] [REDACTED] Trust, executed the so-called “Transfer of Western Steel Inc. from [REDACTED] [REDACTED] to [REDACTED] [REDACTED] Trust,” agreeing between themselves that [REDACTED] would pay “millions” in damages to the [REDACTED] [REDACTED] Trust if [REDACTED] took any action that interfered with the transfer of Western Steel to the trust, and that [REDACTED] would pay all of the Haydens’ and the trust’s costs in litigation if [REDACTED] challenged the transfer of Western Steel to the trust.

The Haydens also made the [REDACTED] [REDACTED] Trust a party to the January 3, 2012 “Post Nuptial Agreement” that attempted to invalidate [REDACTED]’s November 2008 Prenuptial Agreement with his now-former wife, Frankie [REDACTED] replacing it with measures that conferred no benefit whatsoever to William [REDACTED]

(Board Ex. 8 at 12-15.)

16. Respondent argued to the Jefferson County Circuit Court, as he inexplicably continues to argue before us, that he undertook all of these actions to

protect [REDACTED] in the wake of his improvident investments in 10:16 Mining Company in 2010 and 2011. The Court expressly rejected that argument, concluding instead that “the Haydens’ expressed ‘concerns’ are not real but are instead simply a clumsy, contrived excuse to cover their real motive of seizing control of [REDACTED]’s business interests.” (*Id.* at 17.)

17. Respondent also inexplicably continues to maintain to this day that [REDACTED] cannot prove that he is the true owner of Western Steel (or, alternatively, that nobody can prove that Respondent stole the stock certificates), because [REDACTED] has been unable to produce original stock certificates. The Court rejected this argument, too:

Finally, the Haydens contend that [REDACTED] cannot be the owner of Western Steel because he has not produced a stock certificate in his name, while, in contrast, the [REDACTED] Trust has produced a stock certificate showing that it is the sole owner of Western Steel. The Court again finds this argument to be without any merit. It is undisputed that [REDACTED] owned all of the outstanding shares of Western Steel before the Haydens’ plot, as evidenced by documents executed by the Defendants reciting that [REDACTED] was the sole owner of all outstanding shares of Western Steel, Inc. prior to their attempted takeover. Since [REDACTED]’s ownership of Western Steel is the very source from which the [REDACTED] Trust claims to derive its ownership, the Court cannot comprehend how the Defendants now claim that [REDACTED] did not own Western Steel.

Similarly unconvincing is the Defendants’ claim that [REDACTED]’s inability to produce a stock certificate evidencing his ownership is proof that he does not own Western Steel. The record shows that Mark Hayden took possession and control of [REDACTED]’s files and Western Steel’s corporate records for a period of time, without [REDACTED]’s knowledge or consent. The record also shows that the former president

of Western Steel, Gene G. Calhoun, testified that he believes that he has seen a stock certificate evidencing [REDACTED] as the sole owner of Western Steel, in the record books that the Defendants removed from the Western Steel office without [REDACTED]'s permission. In short, the Court finds that the Defendants' fixation on [REDACTED]'s supposed lack of a stock certificate to be but another effort to obscure the real issues in this case.

(Board Ex. 8 at 18.)

18. The August 20, 2013 Final Judgment concluded with a broad and detailed permanent injunction against Respondent, his wife, Angela Hayden, and "any trust or entity formed, established, or controlled by them" The Final Judgment permanently enjoined Respondent from, among other things, "taking any action whatsoever with respect to the assets, property, affairs, interests or estate of [REDACTED] including his stock and interests in Western Steel;" "attempting to establish or form any trust, corporation, partnership, limited liability company or other entity to control any asset or property . . . owned by [REDACTED] or any property or asset of Western Steel, Inc.;" "attempting to act in any purported fiduciary capacity whatsoever with respect to [REDACTED] or his assets, property, affairs, interests or estate;" "any action under the alleged authority as an 'officer' or 'director' of Western Steel;" "authorizing any corporate actions by Western Steel;" "any and all actions involving the stock of Western Steel;" "entering onto the premises of Plaintiff Western Steel, Inc.;" "representing [himself] as the 'owners,' 'officers,' or 'directors' of Western Steel;" representing to any party that

any person or entity other than [REDACTED] [REDACTED] is the rightful owner of Western Steel;” “conducting any business whatsoever on behalf of Western Steel;” and “in any way impeding or disrupting the business of Western Steel.” (Board Ex. 8 at 26-28.)

19. The Jefferson County Circuit Court’s remonstrance against Respondent’s violation of the Preliminary Injunction Order, and its blistering Final Judgment, should have been more than enough to impress upon Respondent the error of his ways. But instead of conforming his behavior to the terms of the Final Judgment of the Jefferson County Circuit Court, Respondent treated the Court’s permanent injunction more like a to-do list.

20. In late December 2020, Respondent transmitted correspondence to the United States Internal Revenue Service, in which he falsely represented himself “as president of Western Steel Inc.” Respondent also falsely represented to the Internal Revenue Service that the [REDACTED] Family Nevada Spendthrift Trust and the [REDACTED] [REDACTED] Nevada Spendthrift Trust “have owned the majority of Western Steel stock since January 2012.” Respondent’s letter to the Internal Revenue Service, citing Western Steel’s Employer Identification Number, purported to terminate Western Steel’s Subchapter S election. (Board Ex. 10 at 6, “Exhibit A.”)

21. Respondent’s statements to the Internal Revenue Service were patently false and indefensible by any standard. The Jefferson County Circuit Court, seven

years earlier, had judicially determined that Respondent's putative actions to transfer [REDACTED] assets to the Nevada Trusts were "*void ab initio*," i.e., from the very outset. The Court had also judicially established that [REDACTED] [REDACTED] remains the sole owner of all outstanding shares of stock in Western Steel, Inc." (Board Ex. 8 at 19.) Respondent's statements to the Internal Revenue Service were lies. And they were made in knowing and intentional violation of the Jefferson County Circuit Court's permanent injunction.

22. Respondent's December 2020 letter to the Internal Revenue Service was accompanied by two checks drawn on accounts purporting to be owned by "WESTERN STEEL INC," and bearing Respondent's signatures. (Board Ex. 10 at 9, 10.) Both checks listed the address of the account holder as "76297 Tallassee Hwy, Wetumpka, AL 36092," which is the address of Respondent's former medical practice. The first check was made payable to "[REDACTED] Family Nevada Spendthrift Trust," in the amount of \$300.00. It is not clear what Respondent hoped to accomplish by sending this check to the Internal Revenue Service. The second check, in the amount of \$100.00, was made payable to "United States Treasury." In the memo line of the second check, Respondent purported that this check was intended to be a Form 1120 (U.S. Corporate Tax Return) payment for "Western Steel Inc." Both of these checks have the Employer Identification Number of Western Steel handwritten on them.

23. On April 17, 2023, the Jefferson County Circuit Court found that various acts of the Respondent, including his correspondence to the Internal Revenue Service in which he falsely represented himself as the President of Western Steel and attempted to revoke Western Steel's Subchapter S election, constituted acts of "criminal contempt," and found that Respondent had "willfully and intentionally violated" the Court's Final Judgment of August 20, 2013. (Board Ex. 11.) As a penalty for this and other acts that the Court adjudged to be criminal contempt, the Court sentenced Respondent to serve 85 days in the Jefferson County Jail. (Board Ex. 11 at 2.)

24. The Jefferson County Circuit Court heard additional evidence of Respondent's violations of the Court's orders on August 16, 2023. After the hearing, the Court entered the following "Final Order":

Final Order

This Matter of Contempt of Court came before the Court on the 16th day of August, 2023. The Plaintiff, Western Steel, Inc., was present, represented by the President Fred Campbell[,] the Vice President, Jason Spinks, and [REDACTED] the sole stockholder of Western Steel, Inc. was present and the Plaintiffs were represented by Ralph J. Bolen, Esq. The Defendant, Steven Mark Hayden, did not appear.

The Court, after hearing testimony, receiving evidence, and considering the same, hereby FINDS as follows:

1. That the Defendant, Steven Mark Hayden, is in criminal contempt of this Court's prior Order permanently enjoining and prohibiting him from presenting himself as an owner, officer,

director of Western Steel, Inc. and from conducting or attempting to conduct any business whatsoever on behalf of Western Steel, Inc. and is enjoined from any further acts presenting himself as an owner, officer, director of Western Steel, Inc. and from conducting or attempting to conduct any business whatsoever on behalf of Western Steel, Inc., and has willfully and intentionally violated this Court's Order of August 20, 2013 (Case No. 01-CV-2012-209) and this Court's Order of January 6, 2021 by:

- A. Representing the Employer Identification Number of Western Steel, Inc. of Alabama as the same Employer Identification Number of Western Steel Inc. of Nevada.
- B. Representing himself as the responsible party of Western Steel, Inc of Alabama to the Internal Revenue Service.
- C. Interfering with clients/tenants of Western Steel, Inc. of Alabama by demanding the lease between Western Steel, Inc. of Alabama and Miller and Company.
- D. By attempting to file a quit claim deed to transfer property of Western Steel Inc. of Alabama.
- E. By filing a involuntary Chapter 11 Bankruptcy Petition in the Bankruptcy Court of Nevada.
- F. Continuing to conduct business in the name of Western Steel, Inc.
- G. Willfully disobeyed the August 20, 2013 lawful Orders of this Court.
- H. Willfully disobeyed the January 6, 2021 lawful Orders of this Court.
- I. Willfully disobeyed the April 17, 2023 lawful Orders of this Court.

Accordingly, it is hereby ORDERED as follows:

1. The Defendant is REMANDED into the custody of the Jefferson County Sheriff for a period of 85 days (5 days for each violation of this Court's previous orders) for criminal contempt.

The Court further FINDS that the Defendant is in civil contempt of this Court by refusing to return stock certificates and all records of Western Steel, Inc. as previously ordered.

Accordingly, it is ORDERED as follows:

1. The Defendant is REMANDED into the custody of the Jefferson County Sheriff until all records, stock certificates, books, checking accounts, and any other documents or materials concerning Western Steel, Inc. are returned to the Plaintiffs' attorney, Ralph J. Bolen and until such time that the Defendant, Steven Mark Hayden, reverses and removes all records and certifications that the Defendant has filed in Georgia, Nevada, Wyoming and/or any other State or with any other entity in which he alleges that he is associated with or an officer of Western Steel, Inc.

The Court further FINDS as follows:

1. That the Defendant has failed to purge himself of contempt of Court and his previously ordered fines continue to accumulate at the rate of Three Hundred Dollars (\$300.00) per day until the Defendant purges himself of civil contempt.
2. That the Plaintiff has incurred expenses in the amount of \$32,100.00 and attorney fees in the amount of \$4,475.00.
3. That a judgment in the amount of Thirty Six Thousand Five Hundred Seventy-Five Dollars (\$36,575.00), for attorney fees and expenses is hereby entered against the Defendant Steven Mark Hayden.

Court Costs are taxed against the Defendant.

DONE this 23rd day of August, 2023.

(Board Ex. 13 (boldface in original).)

25. In 2024, Western Steel, [REDACTED] and Fred Campbell filed an independent lawsuit in the Elmore County Circuit Court against Respondent and others to recover damages for their allegedly wrongful actions. In that case, on May 2, 2025, the Elmore County Circuit Court entered the following final order:

ORDER

This Matter came before the Court on the 10th day of April, 2025. The Plaintiff, Western Steel, Inc., was present, represented by the [REDACTED] [REDACTED] the sole stockholder of Western Steel, Inc. Fred Campbell, President of Western Steel Inc. and [sic] Jessica Campbell, Secretary of Western Steel Inc. was present and the Plaintiffs were represented by Ralph J. Bolen, Esq. The Defendant, Steven Mark Hayden, appeared, pro se.

The Court, after hearing testimony, receiving evidence, and considering same, hereby FINDS as follows:

- The Defendant, Steven Mark Hayden Sr. has represented himself as the President of Western Steel Inc. by filing a Motion to Dismiss pursuant to Rule 41 of the Alabama Rules of Civil Procedure. When in fact he is a Defendant and not the Plaintiff.
- The Defendant has altered the records of Western Steel Inc. at the Alabama Secretary of State by changing the address of the registered agent, when he has no authority to do so.
- The Defendant has altered the records of Western Steel Inc. at the Alabama Secretary of State by changing the corporate address of Western Steel Inc. when he has no authority to do so.
- That the Defendant, Steven Mark Hayden, has purchased business licenses in the name of Western Steel Inc. when he has been [sic] enjoined and prohibited from interfering with Western Steel Inc.

- That the Defendant, Steven Mark Hayden Sr., is prohibited from filing any pleadings or documents in any State of Alabama case without prior Court approval to file.
- That the Defendant, Steven Mark Hayden Sr., has violated prior Orders of this Court which permanently enjoined and prohibited him from presenting himself as an owner, officer, director of Western Steel, Inc. and from conducting or attempting to conduct any business whatsoever on behalf of Western Steel, Inc. and from any further acts presenting himself as an owner, officer, director of Western Steel, Inc. and from conducting or attempting to conduct any business whatsoever on behalf of Western Steel, Inc., and has willfully and intentionally violated this Court's Order of August 20, 2013 (Case No. 01-CV-2012-209) and this Court's Order of January 6, 2021, the Court's Order of April 17, 2023, and the Court's Order of August 23, 2023 by:
 - a. By filing a Motion to Dismiss pursuant to Rule 41 of the Alabama Rules of Civil Procedure when in fact he was the Defendant and not the Plaintiff, one (1) time.
 - b. By changing the Registered agent of Western Steel Inc. at the Alabama Secretary of State, five (5) times.
 - c. By changing the corporate address of Western Steel Inc. at the Alabama Secretary of State, two (2) times.
 - d. By changing the annual report of Western Steel Inc. at the Alabama Secretary of State, ten (10) times.
 - d. [sic] By filing pleading in Court before getting permission to do so in violation of the Court's Order of April 17, 2023.
 - e. By purchasing business licenses in the name of Western Steel Inc. in violation of the October 10, 2013 Court's Order.
 - f. By opening a checking account in the name of Western Steel Inc., one (1) time.
 - g. Impeding or disrupting the business of Western Steel, Inc.

p. [sic] Willfully disobeyed the August 20, 2013 lawful Orders of this Court.

q. Willfully disobeyed the January 6, 2021 lawful Orders of this Court.

r. Willfully filing pleadings in this Court without prior Court approval, for twenty (20) times in this case.

- That the Defendant, Steven Mark Hayden Sr., is in civil contempt of this Court's prior Order permanently enjoining and prohibiting him from presenting himself as an owner, officer, director of Western Steel, Inc. and from conducting or attempting to conduct any business whatsoever on behalf of Western Steel, Inc.

The Defendant shall surrender the business licenses he has obtained in the name of Western Steel Inc. and the corporate stock of Western Steel Inc. and any other documents of Western Steel Inc. to the Plaintiff's attorney, Ralph Bolen.

Accordingly, it is hereby ORDERED as follows:

This Court further FINDS as follows:

Defendant Hayden is a vexatious litigant whose frivolous filings and "motions" clog the judicial machinery and threaten the availability of a well-functioning judiciary to all litigants. Multiple Judges in this case and others around this State have spent countless hours reviewing his pleadings, conducting hearings, and drafting orders on his baseless "motions." His useless filings in this case waste the valuable time of the Circuit Clerk and her staff who are seeking to serve Elmore County citizens seeking legitimate relief in serious cases. In addition, every motion filed by the Defendant demands a response from the Plaintiff, causing the Plaintiff to incur additional, completely unnecessary legal fees. Each and every motion filed by the Defendant in this case is an attempt to stall the execution of a Judgment entered in 01-CV-2012-2019 on August 20, 2013 and Affirmed by The Supreme Court of Alabama,

Accordingly, it is hereby ORDERED as follows:

That the Circuit Clerk of Elmore County is not to allow the Defendant, Steven Mark Hayden, Sr. to file any pleadings or documents without the first prior approval of a Circuit Judge.

Court Costs are taxed against the Defendant.

This is the final order in this matter.

DONE this 2nd day of May, 2025.

(Board Ex. 21.)

26. On the day on which that order was entered, Respondent was housed in the Jefferson County Jail, serving part of the 85-day jail sentence referred to in Finding of Fact Nos. 23 and 24. On that day, Respondent was assaulted by a fellow jail inmate. (See Board Exhibit 25 at 1, 5.⁵) Respondent was transported to the University of Alabama at Birmingham, where it was determined that Respondent suffered a [REDACTED], [REDACTED], and a [REDACTED] [REDACTED]. Shortly after his initial examination in the Emergency Department, Respondent experienced [REDACTED]. (Board Ex. 29 at 62.) Respondent readily admits that the injuries he suffered on May 2, 2025, have affected his memory and word finding.

⁵ The Hearing Officer allowed Board Exhibit 25 to be admitted only for the purpose of showing that the incident occurred, and not for the purpose of assigning fault for the incident. Who was at fault for the May 2, 2025 jail assault is not relevant to our disposition of this case, and we make no finding on that issue. The medical consequences of the assault, however, are relevant to Respondent's ability to practice medicine with reasonable skill and safety, which Count 13 of the Administrative Complaint squarely places in issue. Facts evidenced within Board Exhibit 29 are directly relevant to this point.

27. Respondent's pattern of behavior as established by the record in this case evidences that Respondent has, for an extended period of time, labored under an irrational preoccupation with the property and business affairs of his uncle and former patient, [REDACTED] as well as intense attachment to false beliefs that his actions in connection with the Nevada Trusts have (or indeed *ever had*) any legitimacy or validity whatsoever. This pattern of behavior is irreconcilable with that of an individual who is cognitively fit to practice medicine with reasonable skill and safety to patients. Our concerns about Respondent's observable pattern of behavior are compounded by the effects that Respondent admits that the May 2, 2025 jail assault have had on his cognition. Other evidence of record, while incomplete and inconclusive, points to the potential existence of [REDACTED]. For these reasons, based on our specialized knowledge and expertise as physicians, we conclude as a factual matter that Respondent is presently unable to practice medicine with reasonable skill and safety to patients, by reason of illness or as a result of any mental or physical condition.

III. Conclusions of Law

1. The Medical Licensure Commission of Alabama has jurisdiction over the subject matter of this cause pursuant to Act No. 1981-218, Ala. Code §§ 34-24-310, *et seq.* Under certain conditions, the Commission "shall have the power and duty to suspend, revoke, or restrict any license to practice medicine or osteopathy in

the State of Alabama or place on probation or fine any licensee.” Ala. Code § 34-24-360.

2. Respondent was properly notified of the time, date and place of the administrative hearing and of the charges against him in compliance with Ala. Code §§ 34-24-361(e) and 41-22-12, and Ala. Admin. Code r. 545-X-3-.03(3), (4). At all relevant times, Respondent was a licensee of this Commission and was and is subject to the Commission’s jurisdiction.

3. Before making any decision on a contested case such as this one, the Commission is required by law to “receive and consider” a recommendation from the Board. The Board’s recommendation, however, is not binding upon the Commission. *See* Ala. Code § 34-24-361(h). The Commission has received and duly considered the Board’s non-binding recommendation to “revoke the license to practice medicine of Respondent, assess the maximum fine, and/or take such other actions as the Commission may deem appropriate based upon the evidence presented for consideration.”

4. The Commission has the power and duty to impose discipline upon any physician when the physician is shown, after notice and hearing, to have committed “[u]nprofessional conduct as defined herein or in the rules and regulations promulgated by the commission.” Ala. Code § 34-24-360(2). Our rules generally define “unprofessional conduct” as “the 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 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.” Ala. Admin. Code r. 545-X-4-.06. The rule supplies 23 non-exclusive examples of conduct which, if committed by a physician, constitute “unprofessional conduct.” Among those non-exclusive examples are the following:

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

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

* * *

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

Ala. Admin. Code r. 545-X-4-.06(9), (10), and (21).

5. Based on the totality of the foregoing Findings of Fact—and in particular Findings of Fact No. 6, 9, 13, 15, 16, 17, 20, 21, 22, 24, and 25—we conclude that Respondent has committed acts constituting “unprofessional conduct” as alleged in Count One of the Administrative Complaint, in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-X-4-.06, including but not limited to subparagraphs (9) and (10).

6. Based on the totality of the foregoing Findings of Fact—and in particular Findings of Fact No. 9, 10, and 13—we conclude that Respondent has committed acts constituting “unprofessional conduct” as alleged in Count Two of the Administrative Complaint, in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-X-4-.06, including but not limited to subparagraphs (9) and (10).

7. Based on the totality of the foregoing Findings of Fact—and in particular Findings of Fact No. 9, 10, and 11—we conclude that Respondent has committed acts constituting “unprofessional conduct” as alleged in Count Three of the Administrative Complaint, in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-X-4-.06, including but not limited to subparagraphs (9) and (10).

8. Based on the totality of the foregoing Findings of Fact—and in particular Finding of Fact No. 12—we conclude that Respondent has committed acts constituting “unprofessional conduct” as alleged in Count Four of the Administrative Complaint, in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-X-4-.06, including but not limited to subparagraphs (9) and (10).

9. Based on the totality of the foregoing Findings of Fact—and in particular Finding of Fact No. 9, fn. 2—we conclude that Respondent has committed acts constituting “unprofessional conduct” as alleged in Count Five of the

Administrative Complaint, in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-X-4-.06, including but not limited to subparagraphs (9), (10), and (21).

10. Based on the totality of the foregoing Findings of Fact—and in particular Findings of Fact No. 20, 21, 22, and 23—we conclude that Respondent has committed acts constituting “unprofessional conduct” as alleged in Count Six of the Administrative Complaint, in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-X-4-.06, including but not limited to subparagraphs (9) and (10).

11. Based on the totality of the foregoing Findings of Fact—and in particular Findings of Fact No. 23 and 24—we conclude that Respondent has committed acts constituting “unprofessional conduct” as alleged in Count Eight of the Administrative Complaint, in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-X-4-.06, including but not limited to subparagraphs (9) and (10).

12. Based on the totality of the foregoing Findings of Fact—and in particular Finding of Fact No. 24—we conclude that Respondent has committed acts constituting “unprofessional conduct” as alleged in Count Nine of the Administrative Complaint, in violation of Ala. Code § 34-24-360(2) and Ala.

Admin. Code r. 545-X-4-.06, including but not limited to subparagraphs (9) and (10).⁶

13. Based on the totality of the foregoing Findings of Fact—and in particular Finding of Fact No. 25—we conclude that Respondent has committed acts constituting “unprofessional conduct” as alleged in Count Eleven of the Administrative Complaint, in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-X-4-.06, including but not limited to subparagraphs (9) and (10).

14. The Commission has the power and duty to impose discipline upon any physician when the physician is shown, after notice and hearing, to be “unable to practice medicine or osteopathy with reasonable skill and safety to patients by reason of illness . . . , or as a result of any mental or physical condition.” Ala. Code § 34-24-360(19)a.

15. Based on the totality of the foregoing Findings of Fact—and in particular Findings of Fact No. 26 and 27—we conclude that Respondent is presently

⁶ We note that the Board, in Count Nine of the Administrative Complaint, alleges that the Jefferson County Circuit Court’s August 23, 2023 “Final Order” adjudged Respondent guilty of 13 willful violations of the Court’s previous orders. Our adjudication of Respondent’s guilt as to Count Nine, however, does not depend upon the number of willful violations found by the Jefferson County Circuit Court. Whether the number of violations is 13, 17, or some other lesser or greater number, it is clear that the Court adjudged Respondent guilty of multiple willful and intentional violations of that Court’s final judgment and permanent injunction of August 20, 2013, and adjudged Respondent to be in “criminal contempt.” That is enough to sustain a finding of “unprofessional conduct,” and the imposition of license revocation as the penalty.

“unable to practice medicine or osteopathy with reasonable skill and safety to patients by reason of illness . . . , or as a result of any mental or physical condition,” as alleged in Count Thirteen of the Administrative Complaint, in violation of Ala. Code § 34-24-360(19)a.

16. We expressly find that each of our findings of guilt as to each of Counts One, Two, Three, Four, Five, Six, Eight, Nine, Eleven, and Thirteen of the Administrative Complaint is, standing alone, independently sufficient to warrant revocation of Respondent’s license to practice medicine and/or osteopathy in the State of Alabama.

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

IV. Decision

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

1. That the Respondent, Steven Mark Hayden, M.D., is adjudged **GUILTY** of unprofessional conduct in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-X-4-.06, as charged in Count One of the Administrative Complaint;

2. That the Respondent, Steven Mark Hayden, M.D., is adjudged **GUILTY** of unprofessional conduct in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-X-4-.06, as charged in Count Two of the Administrative Complaint;

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

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

5. That the Respondent, Steven Mark Hayden, M.D., is adjudged **GUILTY** of unprofessional conduct in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-X-4-.06, as charged in Count Five of the Administrative Complaint;

6. That the Respondent, Steven Mark Hayden, M.D., is adjudged **GUILTY** of unprofessional conduct in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-X-4-.06, as charged in Count Six of the Administrative Complaint;

7. That the Respondent, Steven Mark Hayden, M.D., is adjudged **GUILTY** of unprofessional conduct in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-X-4-.06, as charged in Count Eight of the Administrative Complaint;

8. That the Respondent, Steven Mark Hayden, M.D., is adjudged **GUILTY** of unprofessional conduct in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-X-4-.06, as charged in Count Nine of the Administrative Complaint;

9. That the Respondent, Steven Mark Hayden, M.D., is adjudged **GUILTY** of unprofessional conduct in violation of Ala. Code § 34-24-360(2) and Ala. Admin. Code r. 545-X-4-.06, as charged in Count Eleven of the Administrative Complaint;

10. That the Respondent, Steven Mark Hayden, M.D., is adjudged **GUILTY** of “[b]eing unable to practice medicine or osteopathy with reasonable skill and safety to patients by reason of illness . . . or as a result of any mental or physical condition,” in violation of Ala. Code § 34-24-360(19)a. as charged in Count Thirteen of the Administrative Complaint;

11. That Counts Seven, Ten, and Twelve of the Administrative Complaint are **DISMISSED WITHOUT PREJUDICE**;

12. That, separately and severally on account of Counts One, Two, Three, Four, Five, Six, Eight, Nine, Eleven, and Thirteen of the Administrative Complaint, Respondent's license to practice medicine and/or osteopathy in the State of Alabama is **REVOKED**;

13. That Respondent shall, within 30 days of this Order,⁷ pay an administrative fine in the amount of \$10,000.00 as to Count One of the Administrative Complaint, \$10,000.00 as to Count Two of the Administrative Complaint, \$10,000.00 as to Count Three of the Administrative Complaint, \$10,000.00 as to Count Four of the Administrative Complaint, \$10,000.00 as to Count Five of the Administrative Complaint, \$10,000.00 as to Count Six of the Administrative Complaint, \$10,000.00 as to Count Eight of the Administrative Complaint, \$10,000.00 as to Count Nine of the Administrative Complaint, \$10,000.00 as to Count Eleven of the Administrative Complaint, and \$10,000.00 as to Count Thirteen of the Administrative Complaint, for a total administrative fine of \$100,000.00;

14. That it is the present sense of the Commission that any application for reinstatement pursuant to Ala. Code § 34-24-337(e)-(j) filed before the 730th day

⁷ 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).

following the date of this Order is very likely to be summarily denied pursuant to Ala. Code § 36-24-361(h)(9), and any application for reinstatement filed thereafter is not likely to be granted except and unless Respondent clearly establishes that all of the following conditions have been met:

- a. Respondent shall have successfully completed the 15.25-hour Intensive Course in Medical Ethics, Boundaries, and Professionalism presented by Case Western Reserve University School of Medicine;
- b. Respondent shall have submitted unconditionally to a comprehensive evaluation of his fitness to practice medicine at Acumen Assessments, or at another similar facility approved in advance by the Commission, shall have completed all recommended follow-up evaluations and/or treatment, and the evaluators shall have found Respondent fit to practice medicine with reasonable skill and safety, subject to stated conditions;
- c. The evaluators referred to in the above subparagraph b. shall have been provided all relevant collateral information at least 30 days preceding the evaluation, which collateral information shall include, but shall not be limited to, these Findings of Fact and

Conclusions of Law and copies of all exhibits specifically referenced herein;

- d. Respondent shall have executed valid consents authorizing all evaluators referred to in the above subparagraph b. to disclose all information and documents regarding their evaluations and conclusions to the Board and the Commission;
- e. Respondent, upon any reinstatement, shall be permitted practice medicine only pursuant to a written practice plan that complies with this Order and that has been approved in advance by the Commission, which will contain, at a minimum, specific information such as the proposed name of the employer; the proposed scope of practice or type of services to be provided; the proposed days/hours of work; and typical patient populations of the proposed practice; and
- f. Respondent shall have successfully completed a rigorous clinical competency assessment conducted by the Center for Personalized Education for Professionals (“CPEP”) or a similar establishment approved in advance by the Commission, which assessment shall be properly tailored to assess Respondent’s clinical competency to perform the work outlined in any

proposed practice plan with reasonable skill and safety to patients, and Respondent shall have successfully completed any remedial educational steps recommended by CPEP;

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

DONE on this the 15th day of December, 2025.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Jorge Alsip, M.D.
on 2025-12-15 11:09:49 CST

Jorge A. Alsip, M.D.
its Chairman