

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

July 24, 2024

MEMBERS PRESENT IN PERSON

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

MEMBERS NOT PRESENT

Howard J. Falgout, M.D.
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
Rebecca Daniels, Investigator
Randy Dixon, Investigator
Amy Dorminey, Director of Operations
Greg Hardy, Investigator
Chris Hart, Technology
Effie Hawthorne, Associate General Counsel
Wilson Hunter, General Counsel
Roland Johnson, Physician Monitoring
Christy Lawson, Paralegal
Tiffany Seamon, Director of Credentialing



Call to Order: 9:00 a.m.

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

OLD BUSINESS

Minutes June 26, 2024

Commissioner Nagrodzki made a motion that the Minutes of June 26, 2024, be approved. A second was made by Commissioner Morris. The motion was approved by unanimous vote.

NEW BUSINESS

Full License Applicants

<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>
1. Amanda Catrice Adkins	University of Louisville School of Medicine	USMLE/IN
2. Jamie Lauren Adler	George Washington Univ School of Medicine & Health Sciences	USMLE/MA
3. Amena Raja Alkeswani	University of Alabama School of Medicine Birmingham	USMLE
4. Tamer Ammar	Faculty Of Medicine of Tunis	USMLE/PA
5. Jarad Dale Anderson	University of Oklahoma Health Science Center	USMLE
6. Alton Jaahafar Appleton	Cooper Medical College San Francisco	USMLE/TN
7. Erin Kyle Baldwin	University of Alabama School of Medicine Birmingham	USMLE
8. Romaine Recardo Barrett	University of the West Indies, Barbados	USMLE/FL
9. Justin Connor Buck	Lincoln Memorial University Debusk College of Osteopathic Med	COMPLEX
10. Matthew Joseph Calhoun	University of Arizona College of Medicine	USMLE/AZ
11. Jourdan Ariss Carboy	University of Texas Southwestern Medical Center at Dallas	USMLE/OR
12. Joseph William Carter	Liberty University College of Osteopathic Medicine	COMPLEX/OK
13. Julia Kang Cornett	Uni of Medicine & Dentistry New Jersey R W Johnson Med School	USMLE/NJ
14. Melissa Anne DeViney	American University of The Caribbean	USMLE
15. Daniel George Firth	University of Florida College of Medicine	USMLE/AZ
16. David Zeke Forrister	University of Texas Medical School at Galveston	USMLE
17. Kevin Michael Garrett	University of Tennessee Health Science Center College of Medicine	USMLE/MS
18. Fady Henri Geha	Lebanese University	USMLE/TN
19. Tigist Dabessa Gemechu	Addis Ababa University	USMLE/TX
20. Brian Allen Green	University of Tennessee Health Science Center College of Medicine	USMLE/MS
21. Akash Gupta	Yale University School of Medicine	USMLE/MA
22. Gabriela Eugenia Halder	Virginia Commonwealth University School of Medicine	USMLE/TX
23. Bradley James Jerew	Ohio University	COMPLEX/OH
24. Mark Roberts Johnson	University of Alabama School of Medicine Birmingham	USMLE



<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>
25. William R Judson IV	Lincoln Memorial University Debusk College of Osteopathic Med	COMLEX
26. Unwam Ekpuk Jumbo	University of Calabar	USMLE
27. Rajesh Kumar	Liaquat University of Medical & Health Sciences	USMLE/CA
28. Neethu Mary Kurien	University of Tennessee Health Science Center College of Medicine	USMLE
29. Phillip James Leung	Alabama College of Osteopathic Medicine	COMLEX/FL
30. Asha Tendayi Logan	Vanderbilt University School of Medicine	USMLE/CA
31. Ethan Lester Matz	George Washington Univ School of Medicine and Health Sciences	USMLE/TX
32. Terence J McGovern	Harvard Medical School	USMLE/MA
33. Tayari McHezaji	University of Illinois College of Medicine Chicago	USMLE/GA
34. Pallavi Mishra	Cornell University Medical College	USMLE/NC
35. Jackson Boone Moss	Mercer University School of Medicine	USMLE
36. Asad Khan Niazi	Texas Tech University Health Sciences Center School of Medicine	USMLE/CA
37. Annetie Noel	Edward Via College of Osteopathic Medicine, Carolinas Campus	COMLEX/NY
38. Ngozi Ogburu-Ogbonnaya	Medical University of South Carolina College of Medicine	USMLE
39. Madeline Ann Palmer	Central Michigan University College of Medicine	USMLE/MA
40. David Francis Panting	National Autonomous University of Honduras	FLEX/PA
41. Kaval Patel	University of Mississippi School of Medicine	USMLE
42. Taylor Carter Peak	Tulane University School of Medicine	USMLE/TN
43. Manish Prajapati	Universal College of Medical Sciences Tribhuvan University	USMLE/NJ
44. Ahmed Raza	Aga Khan Medical College, Aga Khan University	USMLE/VA
45. Luis R Rivera Aguasvivas	Santo Domingo Institute of Technology	USMLE
46. Robert Charles Ross	Louisiana State University Medical Center, Shreveport	USMLE
47. Timothy Glenn Russell	Uniformed Services University	USMLE/NE
48. Keith Matthew Seibert	Emory University School of Medicine	USMLE/PA
49. John Clark Shell	University of Tennessee Health Science Center College of Med	USMLE/TN
50. Anand N Shridharani	University of Massachusetts Medical School	USMLE/WI
51. Adam Francis Sitzmann	University of Kansas School of Medicine Wichita	USMLE/UT
52. David Lucas Smith	University of Arkansas College of Medicine	USMLE/NC
53. Merle Ray Sogge	Oregon Health & Science University School of Medicine	NBME/CA
54. Allan Kipkoech Soy	American University of The Caribbean	USMLE/FL
55. Jasmine Thum	Harvard Medical School	USMLE/CA
56. Maria Laura Torres	East Central University	USMLE/AZ
57. Christopher Tosino	Ohio University College of Osteopathic Medicine	COMLEX
58. Lori Leigh Van Horn	Tulane School of Medicine Univ of Cincinnati College of Med	FLEX/VA
59. Nathanael K Vankampen	University of Tennessee Health Science Center College of Medicine	USMLE
60. Mitchell Steven Wachtel	University of Miami Miller School of Medicine	NBME/NY
61. Garrett Williams Waller	University of Oklahoma Health Science Center	USMLE/OK
62. Harriet S Washington	University of Alabama School of Medicine Birmingham	USMLE
63. Katharine L Weintraub	Augusta University	USMLE
64. Morgan Wilbanks	University of Alabama School of Medicine Birmingham	USMLE/WI
65. David Sean Willcutts	University of Texas Southwestern Medical Center at Dallas	USMLE/TX
66. Christian Renee Williams	Edward Via College of Osteopathic Medicine Auburn campus	COMLEX
67. Madison Williams Chen	University of South Carolina School of Medicine	USMLE

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<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>
68. Mary Allison Wilson	St. George's University School of Medicine, Grenada	USMLE
69. Alicia Eileen Woock	Virginia Commonwealth University School of Medicine	USMLE
70. Jessica E Woodham	Alabama College of Osteopathic Medicine	COMLEX
71. Julio A Chalela	Universitdad Javeriana Bogota Colombia	FLEX/PA
72. Christopher A Kelesoglou	University of Texas Houston Medical School	USMLE/CO
73. *Gritz Pierre	American University of Antigua	USMLE/MO
74. *Conisha M Holloman	University of Rochester School of Medicine	USMLE/TX

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

A motion was made by Commissioner Christopher with a second by Commissioner Nagrodzki to approve applicant numbers one through seventy-four (1-74) for full licensure. The motion was approved by unanimous vote.

Limited License Applicants

<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>	<u>Location</u>	<u>License</u>
1. Agatha O Akinsete	Obafemi Awolowo University	LL/AL	Jackson Hospital FM	R
2. Wilhelm Basegoda Curiel	Francisco Marraquin University	LL/AL	USA Health IM	R
3. Nomin Bold	Istanbul University	LL/AL	UAB Infectious Disease	F
4. Romel Corecha Santos	Federal Univ of Para	LL/AL	UAB Neurosurgery	F
5. Markus G Feucht Archila	Francisco Marraquin University	LL/AL	USA Health IM	R
6. Monica L Grimaldo	Caribbean Medical University	LL/AL	UAB Selma FM	R
7. Ashlea A Hendrickson	Loma Linda Univ School of Med	LL/AL	USA Health Neurology	R
8. Comfort Tamakloe Jack	University of Queensland	LL/AL	USA Health IM	R
9. Katherine Knernschild	New York College of Osteo Med	LL/AL	USA Health IM /Peds	R
10. Sandesh Neupane	Tribhuvan University	LL/AL	Crestwood Medical IM	R
11. Tosin Steven Oladunjoye	Trinity School of Medicine	LL/AL	USA Health Emerg Med	R
12. Andrew Payton Paradise	Alabama College of Osteo Med	LL/AL	Cahaba FM	R
13. Faith B Pittard	VCOM Carolinas Campus	LL/AL	UA Tuscaloosa FM	R
14. Ali Rezaei	Islamic Azad Univ Tehran Branch	LL/AL	UAB Neuroradiology	VP
15. Seth Alan Richard	VCOM Louisiana	LL/AL	USA Health Emerg Med	R
16. Zahra Saadatpour	Isfahan Univ of Medical Sciences	LL/AL	UAB Neuroradiology	VP
17. Muhammad Sheikh	King Edward Medical School	LL/AL	USA Health IM	R
18. Alexis Jordan Sireci	St. George's University Grenada	LL/AL	Thomas Hospital IM	R
19. Kyler Weston Smith	Univ of Nevada School of Medicine	LL/AL	USA Health Neurology	R
20. Ahmed Soliman	Ain Shams Univ Faculty of Med	LL/AL	Crestwood Medical IM	R
21. Zubariya Rehman Syed	Khyber Med College, U of Peshawar	LL/AL	North AL Med Psychiatry	R
22. Naomi Thelusma	Florida State Univ College of Med	LL/AL	Crestwood Medical FM	R
23. Namitha Dwarakanath	Tbilisi State Medical University	LL/AL	Crestwood Medical IM	R

<u>Name</u>	<u>Medical School</u>	<u>Endorsement</u>	<u>Location</u>	<u>License</u>
24. William Aaron Wilder	St. George's University Grenada	LL/AL	Thomas Hospital IM	R
25. Rebecca J Burson	University of Mississippi School of Med	LL/AL	USA Health IM	R
26. Ellis Michael Shelley	University of Kentucky College of Med	LL/AL	Thomas Hospital IM	R

A motion was made by Commissioner Nelson-Garrett with a second by Commissioner Morris to approve applicant numbers one through twenty-six (1-26) 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 June 1, 2024, through June 30, 2024. A copy of this report is attached as Exhibit "A".

REPORTS

Physician Monitoring Report

The Commission received as information the physician monitoring report dated July 19, 2024. A copy of the report is attached as Exhibit "B".

APPLICANTS FOR REVIEW

Angel R. Farinas, M.D.

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

Fabio Pencle, M.D.

A motion was made by Commissioner Christopher with a second by Commissioner Morris to approve Dr. Pencle's application for limited licensure. The motion was approved by unanimous vote.

Prinka Perswani, M.D.

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


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Casey W. Pierce, M.D.

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

Hakan Alp Sahinoglu, D.O.

A motion was made by Commissioner Nagrodzki with a second by Commissioner Christopher to invite Dr. Sahinoglu to the August 28, 2024, Commission meeting for an informal interview. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "C".

Adam E. Shahsavari, D.O.

A motion was made by Commissioner Aldridge with a second by Commissioner Morris to approve Dr. Shahsavari's application for limited licensure. The motion was approved by unanimous vote.

Christopher T. Smith, D.O.

A motion was made by Commissioner Christopher with a second by Commissioner Nagrodzki to defer any action on Dr. Smith's application for full licensure until the August 28, 2024 Commission meeting. The motion was approved by unanimous vote.

William Wallace, M.D.

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

DISCUSSION ITEMS

BME Rules for Publication: Administrative Rule 540-X-26.05, Limitation (Pharmacy Collaboration)

The Commission received as information the BME Rules for Publication: Administrative Rule 540-X-26.05, Limitation (Pharmacy Collaboration). A copy of the rule is attached hereto as Exhibit "D".


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REQUESTS

Ran Halleluyan, M.D.

The Commission considered a request filed by Dr. Halleluyan to lift the restrictions placed on his Alabama medical license. A motion was made by Commissioner Nagrodzki with a second by Commissioner Aldridge to lift the restrictions and to remove Dr. Halleluyan's license from a restricted status. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "E".

ADMINISTRATIVE FILINGS

Eric Beck, M.D.

A motion was made by Commissioner Christopher with a second by Commissioner Nagrodzki to approve the Bill of Costs filed by the Alabama State Board of Medical Examiners. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "F".

Kristin T. Brunsvold, M.D.

The Commission received an Administrative Complaint filed by the Alabama State Board of Medical Examiners. A motion was made by Commissioner Christopher with a second by Commissioner Nagrodzki to enter an order setting a hearing for December 18, 2024. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "G".

Jason R. Dyken, M.D.

The Commission received an Administrative Complaint filed by the Alabama State Board of Medical Examiners. A motion was made by Commissioner Aldridge with a second by Commissioner Christopher to enter an order setting a hearing for September 25, 2024. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "H".

Ramesh Peramsetty, M.D.

The Commission received a Petition to Revoke Probation filed by the Alabama State Board of Medical Examiners. A motion was made by Commissioner Christopher with a second by


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Commissioner Morris to enter an order setting a hearing for August 28, 2024. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "I".

Allan Schwadron, M.D.

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

At 9:54 a.m., the Commission entered closed session pursuant to Alabama Code § 34-24-361.1 to hear and consider the following matters:

CLOSED SESSION UNDER ALA. CODE 34-24-361.1

Robert T. Bolling, M.D.

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

Michael D. Dick, M.D.

The Commission received as information Dr. Dick's Answer to the Second Amended Administrative Complaint filed by the Alabama State Board of Medical Examiners. A motion as made by Commissioner Nagrodzki with a second by Commissioner Nelson-Garrett to deny any relief requested. The motion was approved by unanimous vote. A copy of the Commission's order is attached hereto as Exhibit "K".

Gary Bullock, D.O.

At the conclusion of the informal conference, the Commission entered the order attached hereto as Exhibit "L".

A handwritten signature in black ink, appearing to read "GB", with a small number "8" written below it.

Divya Carrigan, M.D.

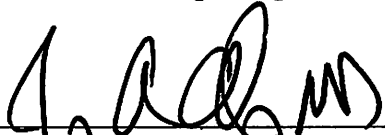
The Board of Medical Examiners informed the Commission that it had withdrawn from the Joint Settlement Agreement previously submitted to the Commission. At the conclusion of the hearing, an oral motion was made by Wilson Hunter, General Counsel for the Alabama State Board of Medical Examiners, for leave to amend the Administrative Complaint previously filed. A motion was made by Commissioner Morris with a second by Commissioner Nelson-Garrett to grant the oral motion made by Mr. Hunter. A copy of the Commission's order is attached hereto as Exhibit "M".

Eva Rubin, M.D.

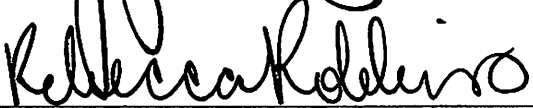
At the conclusion of the hearing, a motion was made by Commissioner Aldridge with a second by Commissioner Nelson-Garrett to issue an order reprimanding Dr. Rubin, assessing an administrative fine in the amount of \$12,500, requiring Dr. Rubin to obtain an additional 25 continuing medical education credits by December 31, 2024, for a total of 50 continuing medical education credits during the 2024 calendar year, and directing the Board of Medical Examiners to file its bill of costs. The motion was approved by unanimous vote. A copy of the Commission's order is attached as Exhibit "N".

Meeting adjourned at 12:03 p.m.

PUBLIC MEETING NOTICE: The next meeting of the Alabama Medical Licensure Commission was announced for Wednesday, August 28, 2024, beginning at 9:30 a.m.



JORGE A. SIP, M.D., Chairman
Alabama Medical Licensure Commission



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

08/28/2024

Date Signed

EXHIBIT

A

IMLCC Licenses Issued June 1, 2024 - June 30, 2024 (113)

Name	License Type	License Number	Status	Issue Date	Expiration Date	State of Principal Licensure
Stephen Shepherd Johnston	MD	48988	Active	6/5/2024	12/31/2024	Arizona
Shivana Devi Naidoo	MD	48991	Active	6/5/2024	12/31/2024	Arizona
Nicholas Akasha Cassuto	MD	48994	Active	6/5/2024	12/31/2024	Arizona
Ayushman Sharma	MD	49016	Active	6/10/2024	12/31/2024	Arizona
Jose Pedro Falero-Pomales	MD	49025	Active	6/10/2024	12/31/2024	Arizona
Kirstin Alexis Knobbe Lloyd	MD	49028	Active	6/12/2024	12/31/2024	Arizona
Gregg Peter Sydow	MD	49029	Active	6/12/2024	12/31/2024	Arizona
Danniel Joseph Stites	MD	49032	Active	6/12/2024	12/31/2024	Arizona
Jeffrey John Thomas	MD	49051	Active	6/20/2024	12/31/2024	Arizona
Anabel Maria Morales Mangual	MD	48996	Active	6/5/2024	12/31/2024	Colorado
John Erick Anderson	DO	3732	Active	6/5/2024	12/31/2024	Colorado
Madhura Yeshwant Phadke	MD	49057	Active	6/20/2024	12/31/2024	Colorado
Bruce Joseph Aistrup	MD	49063	Active	6/21/2024	12/31/2024	Colorado
Christine Cuzzocrea Tardif	MD	49069	Active	6/24/2024	12/31/2024	Colorado
Karen T Mason	MD	48979	Active	6/4/2024	12/31/2024	District of Columbia
Christopher Borrego	DO	3729	Active	6/4/2024	12/31/2024	Georgia
Barbara Tennille Lewis	MD	48977	Active	6/4/2024	12/31/2024	Georgia
Jeffrey Eugene Mikell	MD	48982	Active	6/4/2024	12/31/2024	Georgia
Nneamaka Anita Ifechukwude	MD	48983	Active	6/4/2024	12/31/2024	Georgia
Scott Hopkins	MD	49002	Active	6/5/2024	12/31/2024	Georgia
Parth Sudhir Patel	MD	49012	Active	6/7/2024	12/31/2024	Georgia
Maureen Onweni-Eze	MD	49014	Active	6/10/2024	12/31/2024	Georgia
Emily Ost Bigby	MD	49037	Active	6/19/2024	12/31/2024	Georgia
Brandon Arthur Mines	MD	49054	Active	6/20/2024	12/31/2024	Georgia
Tania Sandra Rowland	MD	49055	Active	6/20/2024	12/31/2024	Georgia
Nnamdi Nkwuo	MD	49065	Active	6/24/2024	12/31/2024	Georgia
Ryan J Zimmerman	DO	3746	Active	6/24/2024	12/31/2024	Georgia
Michael Leviton	MD	49042	Active	6/19/2024	12/31/2024	Illinois

Ann Elizabeth Hulme	MD	48992	Active	6/5/2024	12/31/2024	Indiana
Samuel K Dawn	MD	49061	Active	6/21/2024	12/31/2024	Indiana
Patrick Lee Stevens	DO	3767	Active	6/28/2024	12/31/2024	Indiana
Rona Lynnea Kaiser Gazaway	MD	49017	Active	6/10/2024	12/31/2024	Kansas
Ester Mullokandova	DO	3768	Active	6/28/2024	12/31/2024	Kansas
Teresa Susan McQueen	MD	49013	Active	6/7/2024	12/31/2024	Kentucky
Barbara Gail Kelly	MD	49030	Active	6/12/2024	12/31/2024	Kentucky
Lan Quoc Ta	MD	49009	Active	6/6/2024	12/31/2024	Louisiana
Scott Edward Delacroix Jr.	MD	49024	Active	6/10/2024	12/31/2024	Louisiana
Swati Rao	MD	49043	Active	6/19/2024	12/31/2024	Louisiana
Victoria Barg	MD	49047	Active	6/20/2024	12/31/2024	Maryland
Joseph Alfred Moretz III	MD	49056	Active	6/20/2024	12/31/2024	Maryland
Scott Jackson Akin	MD	49064	Active	6/24/2024	12/31/2024	Maryland
Ramya Vadlamudi	MD	48981	Active	6/4/2024	12/31/2024	Michigan
Marcela Soriano Espinosa	MD	48993	Active	6/5/2024	12/31/2024	Michigan
Rachel Audrey Shields	MD	48995	Active	6/5/2024	12/31/2024	Michigan
Krishni Aluwihare Somaratne	MD	48998	Active	6/5/2024	12/31/2024	Michigan
Rachel Anne Coel	MD	48999	Active	6/5/2024	12/31/2024	Michigan
Chong U Yi	MD	49011	Active	6/7/2024	12/31/2024	Michigan
Stephen Patrick McElroy	MD	49018	Active	6/10/2024	12/31/2024	Michigan
Diana Tran Kumar	MD	49019	Active	6/10/2024	12/31/2024	Michigan
Nita Thapa	MD	49020	Active	6/10/2024	12/31/2024	Michigan
Gina Bing Wilson	MD	49022	Active	6/10/2024	12/31/2024	Michigan
Grace Ching	MD	49023	Active	6/10/2024	12/31/2024	Michigan
Samuel Tredemeyer	DO	3740	Active	6/12/2024	12/31/2024	Michigan
Janet Gwai Heung Eng	DO	3742	Active	6/12/2024	12/31/2024	Michigan
Kyle Keahi Chong	MD	49048	Active	6/20/2024	12/31/2024	Michigan
Nicole Ann Knapp Kennedy	MD	49050	Active	6/20/2024	12/31/2024	Michigan
Wendy Wan-Sir Lin	MD	49052	Active	6/20/2024	12/31/2024	Michigan
Robert Ari Lowenstein	MD	49066	Active	6/24/2024	12/31/2024	Michigan

Kent Calvin Bowden	DO	3747	Active	6/24/2024	12/31/2024	Michigan
Pranay Parikh	MD	49152	Active	6/28/2024	12/31/2024	Michigan
Brijit Bertsche Reis	MD	49154	Active	6/28/2024	12/31/2024	Michigan
Mirna Jadan	MD	49155	Active	6/28/2024	12/31/2024	Michigan
Barbara Susan Levy	MD	49031	Active	6/12/2024	12/31/2024	Minnesota
Jo'El Welch	MD	49041	Active	6/19/2024	12/31/2024	Mississippi
Hanly T Burton	DO	3738	Active	6/10/2024	12/31/2024	Montana
Mai Kong Xiong	MD	49036	Active	6/19/2024	12/31/2024	Montana
Sajan Thapar Mahajan	MD	49045	Active	6/19/2024	12/31/2024	Nebraska
Belinda Annete Denmark	DO	3735	Active	6/10/2024	12/31/2024	Nevada
Grant Bullock	DO	3749	Active	6/26/2024	12/31/2024	Nevada
Simona Nedelcu	MD	49007	Active	6/6/2024	12/31/2024	New Jersey
Parth Shah	MD	49151	Active	6/28/2024	12/31/2024	New Jersey
Pamela L Caslowitz	MD	48989	Active	6/5/2024	12/31/2024	Ohio
David M Gossat	MD	49006	Active	6/6/2024	12/31/2024	Ohio
Richard Fikes	DO	3745	Active	6/20/2024	12/31/2024	Ohio
Nikole Funk	DO	3766	Active	6/28/2024	12/31/2024	Ohio
Gregory Lynn Wilson	DO	3734	Active	6/10/2024	12/31/2024	Oklahoma
Kinya Cyrus Kamau	MD	49034	Active	6/19/2024	12/31/2024	Oklahoma
Christopher Brett Nelson	MD	49058	Active	6/21/2024	12/31/2024	Oklahoma
Theodore Arthur Mickle Jr.	DO	3748	Active	6/25/2024	12/31/2024	Oklahoma
Aileen Treto Cabrera	MD	49027	Active	6/10/2024	12/31/2024	South Dakota
Stephen Cole	MD	48990	Active	6/5/2024	12/31/2024	Tennessee
David Brasfield Sarver	MD	49021	Active	6/10/2024	12/31/2024	Tennessee
Chhavi Chaudhary	MD	49038	Active	6/19/2024	12/31/2024	Tennessee
Deanna Lee Aftab Guy	MD	49070	Active	6/25/2024	12/31/2024	Tennessee
Paul Jacob Turek	MD	48978	Active	6/4/2024	12/31/2024	Texas
Run Wang	MD	48980	Active	6/4/2024	12/31/2024	Texas
Theodros Zemanuel	DO	3730	Active	6/4/2024	12/31/2024	Texas
Naga Maruthi Kumar Periseti	MD	48987	Active	6/5/2024	12/31/2024	Texas

Arpna Vajpayee Dave	MD	48997	Active	6/5/2024	12/31/2024	Texas
Emill Levasseur Sanchez	MD	49000	Active	6/5/2024	12/31/2024	Texas
Joanna Kingsley Tavarez	MD	49001	Active	6/5/2024	12/31/2024	Texas
Robert Kee Hang	MD	49003	Active	6/5/2024	12/31/2024	Texas
Bradley Ross Gabe	DO	3737	Active	6/10/2024	12/31/2024	Texas
Patrick Hartmann	DO	3739	Active	6/11/2024	12/31/2024	Texas
Matthew Korneliusz Karpowicz	DO	3743	Active	6/19/2024	12/31/2024	Texas
Sarita Milchgrub	MD	49035	Active	6/19/2024	12/31/2024	Texas
Shalin Jyotindra Shah	MD	49039	Active	6/19/2024	12/31/2024	Texas
Snehalkumar Baldevhbavi Patel	MD	49040	Active	6/19/2024	12/31/2024	Texas
Oladotun Akinmurele	MD	49044	Active	6/19/2024	12/31/2024	Texas
Barbara Anne Newman	MD	49049	Active	6/20/2024	12/31/2024	Texas
William Patrick Martin	MD	49053	Active	6/20/2024	12/31/2024	Texas
Abdul Keylani	MD	49059	Active	6/21/2024	12/31/2024	Texas
Dev Arwikar	MD	49060	Active	6/21/2024	12/31/2024	Texas
Adenrele Abiola Olaosun	MD	49062	Active	6/21/2024	12/31/2024	Texas
Byron Hing Lung Lee	MD	49068	Active	6/24/2024	12/31/2024	Texas
Andrea Louise Pana	MD	49150	Active	6/28/2024	12/31/2024	Texas
Komal Mehta Vargas	MD	49153	Active	6/28/2024	12/31/2024	Texas
Maryellyn Gilfeather	MD	49015	Active	6/10/2024	12/31/2024	Utah
Lloyd Turla Licuanan	MD	49008	Active	6/6/2024	12/31/2024	Washington
Andrew Kunkel	DO	3744	Active	6/19/2024	12/31/2024	Washington
Rachel Elizabeth Carlin	MD	49067	Active	6/24/2024	12/31/2024	Washington
Stephen William Lewellis	MD	49026	Active	6/10/2024	12/31/2024	Wisconsin
Kamil Krukowski	DO	3741	Active	6/12/2024	12/31/2024	Wisconsin

**Total licenses issued since April 2017 - 4,285*



EXHIBIT
B

STATE of ALABAMA
MEDICAL LICENSURE COMMISSION

To: Medical Licensure Commission
From: Nicole Roque
Subject: July Physician Monitoring Report
Date: 7/19/2024

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

Physician: Scott Hull Boswell, M.D.
Order Type: MLC
Due Date: Quarterly
Order Date: 12/1/2014
License Status: Active
Requirements: Therapist Report
Check PDMP
Received: Therapist Report
PDMP Compliant

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

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

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

Physician: Kristin J. Dobay, M.D.
Order Type: MLC
Due Date: Other
Order Date: 5/3/2024
License Status: Active-Restricted
Requirements: APHP Report
Limited Practice
Therapist Report
Worksite Report
Received: Report from Rob Hunt with supporting documents

Physician: Jerry Hankins, M.D.
Order Type: MLC
Due Date: Quarterly
Order Date: 9/2/2016
License Status: Active
Requirements: Limited Practice/Prescribing
Received: PDMP Compliant

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

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

Physician: 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

Physician: Farhaad Riyaz, M.D.
Order Type: MLC
Due Date: Other
Order Date: 8/24/2022
License Status: Active-Probation
Requirements: APHP Report
Received: Report from Rob Hunt with supporting documents

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

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

Physician: Janie T. Bush Teschner, M.D.
Order Type: BME/MLC
Due Date: Other
Order Date: 4/19/2023
License Status: Active-Probation
Requirements: APHP Report
Practice Plan
Limited Practice (Pending practice place approval)
Therapist Report
AA/NA Meetings
CME
Received: Report from Rob Hunt with supporting documents

EXHIBIT

C

**In re: the matter of
HAKAN ALP SAHINOGLU, D.O.**

**BEFORE THE MEDICAL
LICENSURE COMMISSION
OF ALABAMA**

ORDER

This matter is before the Medical Licensure Commission of Alabama on Dr. Sahinoglu's application for licensure. This matter is set for an informal interview, to be held on Wednesday, August 28, 2024, at 10:00 a.m., at 848 Washington Avenue, Montgomery, Alabama, 36104.

DONE on this the 31st day of July, 2024.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

E-SIGNED by Jorge Alsip, M.D.
on 2024-07-31 20:53:00 CDT

Jorge A. Alsip, M.D.
its Chairman



EXHIBIT
D

ALABAMA STATE BOARD OF MEDICAL EXAMINERS

WILLIAM M. PERKINS, EXECUTIVE DIRECTOR

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

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

MEMORANDUM

To: Medical Licensure Commission
From: Mandy Ellis
Date: July 18, 2024
Re: Administrative Rules Approved for Publication

The Board of Medical Examiners, at its meeting July 18, 2024, approved the following rule to be published for public comment in the *Alabama Administratively Monthly*:

- Administrative Rule 540-X-26-.05, *Limitations* (Pharmacy Collaboration)

The Joint Committee for Pharmacy Collaboration recommended the rule be amended to include that a physician may not collaborate with more than three (3) pharmacists and that a pharmacist may not collaborate with more than three (3) physicians within the Test-to-Treat model.

With an expected publication date of July 31, 2024, the public comment period ends September 4, 2024. The anticipated effective date is November 14, 2024.

Attachments:

Administrative Rule 540-X-26-.05, *Limitations*

540-X-26-.05

Limitations.

(1) The scope of an Agreement shall NOT include:

(a) Any person or patient of a Collaborating Physician for whom such Collaborating Physician has not prepared a patient-specific, drug- or drug class-specific, disease-specific, or condition-specific plan of care based on a physical examination of the patient by the Collaborating Physician within the past twelve (12) months, with the exception of immunizations and acute, uncomplicated illness or injury as well as the dispensing of opioid antagonists as defined in Ala. Code §20-2-280; or

(b) The prescribing of controlled substances listed or to be listed in the schedules under federal law and in Ala. Code §§20-2-23, 20-2-25, 20-2-27, 20-2-29, and 20-2-31 and/or Ala. Admin. Code r. 420-7-2 and its Appendix.

(2) No retail pharmacy may employ a physician for the purpose of maintaining, establishing, or entering into a collaborative practice agreement. Nothing shall prohibit a retail pharmacy from hiring a physician or licensed medical practitioner for the purpose of conducting quality assurance reviews of its pharmacists that are engaged in the practice of collaborative drug therapy.

(3) A Collaborating Physician may collaborate with a maximum of three Collaborating Pharmacists for testing or screening for and treatment of acute, uncomplicated illness or injury.

(4) A Collaborating Pharmacist may collaborate with a maximum of three Collaborating Physicians for testing or screening for and treatment of acute, uncomplicated illness or injury.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §34-24-53; Act 2019-368 (Code of Ala. 1975, §34-23-77).

History: New Rule: Published August 31, 2021; effective October 15, 2021. **Amended:** Published November 30, 2023; effective January 14, 2024. **Amended:** Published _____ ; effective _____ .

**EXHIBIT
E**

**In re: the matter of
RAN HALLELUYAN, M.D.**

**BEFORE THE MEDICAL
LICENSURE COMMISSION
OF ALABAMA**

ORDER

On October 5, 2022, we entered an Order issuing a license to practice medicine and/or osteopathy in the State of Alabama to Ran Halleluyan, M.D., subject to the restrictions that Dr. Halleluyan's practice shall be restricted to the University of South Alabama General Surgery Residency program; and that Dr. Halleluyan shall establish and continuously maintain a doctor-patient relationship with a psychiatrist, who shall make quarterly reports to the Commission.

Dr. Halleluyan successfully completed his residency program on June 30, 2024, and has provided a letter of good standing from his program director. Dr. Halleluyan has otherwise fully complied with our orders.

Dr. Halleluyan now requests that his license restrictions be removed, and that he be issued a full and unrestricted license to practice medicine and/or osteopathy in the State of Alabama. The Board of Medical Examiners supports Dr. Halleluyan's request.

Accordingly, it is ordered that the restrictions on Dr. Halleluyan's license to practice medicine and/or osteopathy in the State of Alabama imposed by our order

of October 5, 2022, are lifted, and Dr. Halleluyan's license to practice medicine and/or osteopathy in the State of Alabama is restored to full and unrestricted status.

DONE on this the 31st day of July, 2024.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

E-SIGNED by Jorge Alsip, M.D.
on 2024-07-31 20:51:46 CDT

Jorge A. Alsip, M.D.
its Chairman

EXHIBIT

F

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

v.

ERIC RAY BECK, M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2022-099

ORDER

This matter is before the Medical Licensure Commission of Alabama on the Bill of Costs filed on July 3, 2024 by the Alabama State Board of Medical Examiners. Respondent had 10 days in which to file written objections to the Bill of Costs. *See* Ala. Admin. Code r. 545-X-3-.08(10)(c). No such objections have been filed. Upon review, the Board's cost bill is approved, and the administrative costs of this proceeding are assessed against Respondent in the amount of \$945.00. *See* Ala. Admin. Code r. 545-X-3-.08(9), (10).

DONE on this the 31st day of July, 2024.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

E-SIGNED by Jorge Alsip, M.D.
on 2024-07-31 20:51:12 CDT

Jorge A. Alsip, M.D.
its Chairman

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

**KRISTIN TAYLOR BRUNSVOLD,
M.D.,**

Respondent.

EXHIBIT

G

**BEFORE THE MEDICAL
LICENSURE COMMISSION
OF ALABAMA**

CASE NO. 2024-147

ORDER SETTING HEARING
For Contested Cases Initiated by Administrative Complaint

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

1. Service of the Administrative Complaint

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

2. Initial Hearing Date

This matter is set for a hearing as prescribed in Ala. Code §§ 34-24-360, *et seq.*, and Ala. Admin. Code Chapter 545-X-3, to be held on Wednesday, December 18, 2024, at 10:00 a.m., at 848 Washington Avenue, Montgomery, Alabama, 36104. Unless otherwise specified by the Commission, the hearing will be held in person. All parties and counsel are expected to appear and to be prepared for the hearing at this date, time, and place.

3. Appointment of Hearing Officer

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

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

4. Answer

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

5. Rescheduling/Motions for Continuance

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

6. Case Management Orders

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

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

7. Manner of Filing and Serving Pleadings

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

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

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

8. Discovery

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

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

9. Publicity and Confidentiality

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

10. Stipulations

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

11. Judicial Notice

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

12. Settlement Discussions

The Commission encourages informal resolution of disputes, where possible and consistent with public interest. If a settlement occurs, the parties should notify the Hearing Officer, the Commission's Director of Operations, and Commission's General Counsel. Settlements involving Commission action are subject to the Commission's review and approval. To ensure timely review, such settlements must be presented to the Commission no later than the Commission meeting preceding the hearing date. Hearings will not be continued based on settlements that are not presented in time for the Commission's consideration during a monthly meeting held prior to the hearing date. The Commission Vice-Chairman may assist the parties with the development and/or refinement of settlement proposals.

13. Subpoenas

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

parties may request that the Hearing Officer issue subpoenas for witnesses and/or documents, and the Hearing Officer is authorized to approve and issue such subpoenas on behalf of the Commission. Service of such subpoenas shall be the responsibility of the party requesting such subpoenas.

14. Hearing Exhibits

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

15. Administrative Costs

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

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

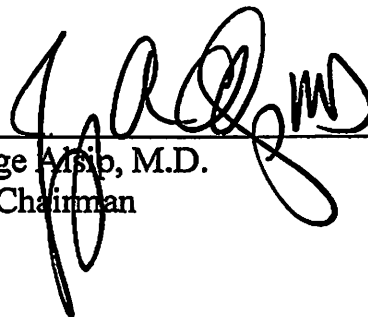
16. Appeals

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

DONE on this the 24th day of July, 2024.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:



Jorge Alsip, M.D.
Its Chairman

Distribution:

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

EXHIBIT

H

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

JASON RICHARD DYKEN, M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION
OF ALABAMA**

CASE NO. 2024-148

ORDER SETTING HEARING
For Contested Cases Initiated by Administrative Complaint

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

1. Service of the Administrative Complaint

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

2. Initial Hearing Date

This matter is set for a hearing as prescribed in Ala. Code §§ 34-24-360, *et seq.*, and Ala. Admin. Code Chapter 545-X-3, to be held on Wednesday, September 25, 2024, at 10:00 a.m., at 848 Washington Avenue, Montgomery, Alabama, 36104. Unless otherwise specified by the Commission, the hearing will be held in person. All parties and counsel are expected to appear and to be prepared for the hearing at this date, time, and place.

3. Appointment of Hearing Officer

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

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

4. Answer

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

5. Rescheduling/Motions for Continuance

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

6. Case Management Orders

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

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

7. Manner of Filing and Serving Pleadings

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

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

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

8. Discovery

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

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

9. Publicity and Confidentiality

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

10. Stipulations

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

11. Judicial Notice

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

12. Settlement Discussions

The Commission encourages informal resolution of disputes, where possible and consistent with public interest. If a settlement occurs, the parties should notify the Hearing Officer, the Commission's Director of Operations, and Commission's General Counsel. Settlements involving Commission action are subject to the Commission's review and approval. To ensure timely review, such settlements must be presented to the Commission no later than the Commission meeting preceding the hearing date. Hearings will not be continued based on settlements that are not presented in time for the Commission's consideration during a monthly meeting held prior to the hearing date. The Commission Vice-Chairman may assist the parties with the development and/or refinement of settlement proposals.

13. Subpoenas

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

parties may request that the Hearing Officer issue subpoenas for witnesses and/or documents, and the Hearing Officer is authorized to approve and issue such subpoenas on behalf of the Commission. Service of such subpoenas shall be the responsibility of the party requesting such subpoenas.

14. Hearing Exhibits

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

15. Administrative Costs

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

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

16. Appeals

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

DONE on this the 24th day of July, 2024.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Jorge Alsip, M.D.
on 2024-07-24 19:01:03 CDT

Jorge Alsip, M.D.
Its Chairman

Distribution:

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

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

RAMESH BABU PERAMSETTY, M.D.,

Respondent.

EXHIBIT

I

**BEFORE THE MEDICAL
LICENSURE COMMISSION
OF ALABAMA**

CASE NO. 2017-305

ORDER SETTING HEARING

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

1. Service of the Petition To Revoke Probation

A copy of the Petition to Revoke Probation and a copy of this Order shall be served forthwith upon the Respondent, by personally delivering the same to

Respondent if he or she can be found within the State of Alabama, or, by overnight courier, signature required, to Respondent's last known address if he or she cannot be found within the State of Alabama. The Commission further directs that personal service of process shall be made by Edwin Rogers, who is designated as the duly authorized agent of the Commission.

2. Initial Hearing Date

This matter is set for a hearing as prescribed in Ala. Code §§ 34-24-360, *et seq.*, and Ala. Admin. Code Chapter 545-X-3, to be held on Wednesday, August 28, 2024, at 10:00 a.m., at 848 Washington Avenue, Montgomery, Alabama, 36104. Unless otherwise specified by the Commission, the hearing will be held in person. All parties and counsel are expected to appear and to be prepared for the hearing at this date, time, and place.

3. Appointment of Hearing Officer

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

4. Answer

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

5. Rescheduling/Motions for Continuance

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

6. Case Management Orders

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

7. Manner of Filing and Serving Pleadings

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

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

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

8. Discovery

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

Officer, who is authorized to hold such hearings as appropriate and to make appropriate rulings regarding such disputes.

9. Publicity and Confidentiality

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

10. Stipulations

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

11. Judicial Notice

The parties are advised that the Commission may take judicial notice of its prior proceedings, findings of fact, conclusions of law, decisions, orders, and

judgments, if any, relating to the Respondent. *See* Ala. Code § 41-22-13(4); Ala. Admin. Code r. 545-X-3-.09(4).

12. Settlement Discussions

The Commission encourages informal resolution of disputes, where possible and consistent with public interest. If a settlement occurs, the parties should notify the Hearing Officer, the Commission's Director of Operations, and Commission's General Counsel. Settlements involving Commission action are subject to the Commission's review and approval. To ensure timely review, such settlements must be presented to the Commission no later than the Commission meeting preceding the hearing date. Hearings will not be continued based on settlements that are not presented in time for the Commission's consideration during a monthly meeting held prior to the hearing date. The Commission Vice-Chairman may assist the parties with the development and/or refinement of settlement proposals.

13. Subpoenas

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

subpoenas on behalf of the Commission. Service of such subpoenas shall be the responsibility of the party requesting such subpoenas.

14. Hearing Exhibits

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

15. Administrative Costs

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

16. Appeals

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

DONE on this the 31st day of July, 2024.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Jorge Alsip, M.D.
on 2024-07-31 20:53:21 CDT

Jorge Alsip, M.D.
Its Chairman

Distribution:

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

EXHIBIT

J

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

ALLAN SCHWADRON, M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2024-139

CONSENT DECREE

This matter comes before the Medical Licensure Commission of Alabama (“the Commission”) on the Administrative Complaint (“the Administrative Complaint”) filed by the Alabama State Board of Medical Examiners (“the Board”) on July 16, 2024. The Board and the Respondent, Allan Schwadron, M.D. (“Respondent”), have entered into a Joint Settlement Agreement (“the Settlement Agreement”), and have asked the Commission to approve the Settlement Agreement and to embody it in this Consent Decree.

General Provisions

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

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

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

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

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

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

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

Findings of Fact

1. Respondent has been licensed to practice medicine in the State of Alabama since July 25, 1984, having been issued license no. MD.11616. Respondent was so licensed at all relevant times.

2. On or about December 1, 2023, Respondent submitted or caused to be submitted an Alabama medical license renewal application for calendar year 2024. On that application, Respondent certified that the annual minimum continuing medical education requirement of 25 AMA PRA Category 1™ credits had been met or would be met by December 31, 2023. Respondent further represented that, if audited, he would have supporting documents.

3. Respondent did not earn any valid continuing medical education credits during 2023.

Conclusions of Law

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

2. The Commission finds, as a matter of law, that the determined facts constitute violations of Ala. Code § 34-24-360(23) and Ala. Admin. Code r. 545-X-5-.02.

Order/Discipline

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

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

¹ See Ala. Admin. Code r. 545-X-3-.08(8)(d)(i). Respondent is further advised that “[t]he refusal or failure by a physician to comply with an order entered by the Medical Licensure Commission” may be a separate instance of “unprofessional conduct.” See Ala. Admin. Code r. 545-X-4-.06(6). Failure to timely pay the assessed costs and fines may therefore form an independent basis for further disciplinary action against Respondent.

2. That Respondent is ordered to obtain 25 *additional* credits of AMA PRA Category 1™ or equivalent continuing medical education, in addition to the 25 credits already required for calendar year 2024, for a combined total of 50 credits, during calendar year 2024.

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

DONE on this the 31st day of July, 2024.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Jorge Alsip, M.D.
on 2024-07-31 20:51:29 CDT

Jorge A. Alsip, M.D.
its Chairman

EXHIBIT

K

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

v.

MICHAEL D. DICK, M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2018-031

ORDER

This matter is before the Medical Licensure Commission of Alabama on the Respondent's submission e-mailed to the Hearing Officer on July 22, 2024. Respondent's e-mail appears to request judgment as a matter of law, or, in the alternative, a continuance of the hearing in this matter currently scheduled for October 22 and 23, 2024. Upon consideration, any relief requested in Respondent's submission is denied.

DONE on this the 31st day of July, 2024.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

**E-SIGNED by Jorge Alsip, M.D.
on 2024-07-31 20:52:45 CDT**

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

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

v.

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

Respondent.

EXHIBIT

L

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2020-100

ORDER

An informal conference was held in this matter on July 24, 2024. Respondent participated with his attorney, Jim Ward. At this time, it is the Commission's understanding that no specific relief is requested; therefore, no relief is granted or denied in the present Order. The Commission anticipates receiving, in the near future, a proposed practice plan from Respondent that fully addresses the conditions of probation specified in our Final Order of December 21, 2021, as well as the outstanding fines and costs that remain unpaid. *See* Ala. Code § 34-24-383 ("The Medical Licensure Commission shall not renew the annual certificate of registration as set forth in Section 34-24-337 of any physician against whom an administrative fine has been assessed by the Board of Medical Examiners or the Medical Licensure Commission until such fine is paid in full.").

DONE on this the 31st day of July, 2024.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

**E-SIGNED by Jorge Alsip, M.D.
on 2024-07-31 20:52:08 CDT**

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

EXHIBIT

M

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

v.

**DIVYA ALAPATI CARRIGAN,
M.D.,**

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2024-036

ORDER

This matter came before the Medical Licensure Commission of Alabama on July 24, 2024 for consideration of the “Joint Settlement Agreement” submitted on July 18, 2024. The Board advised the Commission that it has withdrawn from the Joint Settlement Agreement, and made an oral motion for leave to file an amended Administrative Complaint. The Commission notes that Respondent has executed a valid waiver of the 120-day limit on summary suspension found in Ala. Code §§ 34-24-361(f) and 41-22-19(d). Upon due consideration, the Board’s motion for leave to file an amended Administrative Complaint is granted.

DONE on this the 31st day of July, 2024.

**THE MEDICAL LICENSURE
COMMISSION OF ALABAMA**

By:

**E-SIGNED by Jorge Alsip, M.D.
on 2024-07-31 20:52:26 CDT**

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

EXHIBIT

N

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

v.

EVA RUBIN, M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION OF
ALABAMA**

CASE NO. 2023-265

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter came before the Medical Licensure Commission of Alabama for a contested case hearing on July 24, 2024. After receiving and considering the relevant evidence and argument presented at the hearing, we find the Respondent, Eva Rubin, M.D., guilty of two of the three disciplinary charges presented by the Board, and impose professional discipline as set out below.

I. Introduction and Statement of the Case

The respondent in this case is Eva Rubin, M.D. ("Respondent"). Respondent was first licensed by the Commission on October 15, 1980, having been issued license no. MD.4559. The disciplinary charges in this case arise out of Respondent's alleged failure to earn 25 continuing medical education ("CME") credits during 2022, as required by the Commission's regulations, and Respondent's failure to respond to the random CME audit for 2022.

II. Procedural History

On April 9, 2024, the Alabama Board of Medical Examiners filed an Administrative Complaint (“the Administrative Complaint”). The Administrative Complaint contains three counts, centering mainly on Respondent’s failure to earn the required number of CME hours during calendar year 2022.

In Count One of the Administrative Complaint, the Board alleges that Respondent failed to earn 25 hours of qualifying CME credit during 2022, and/or failed to provide documentation substantiating the same, as required by Ala. Code § 34-24-360(23) and Ala. Admin. Code r. 545-X-5-.02 and 545-X-5-.10. Count Two alleges that Respondent is guilty of unprofessional conduct as outlined in Ala. Admin. Code r. 545-X-4-.06(19), in that she failed to furnish documentation of qualifying CME credits earned in 2022 when requested by the Board. Finally, in Count Three, the Board alleges that Respondent transgressed Ala. Code § 34-24-338 by failing to inform the Commission of a change in her home address as required by that section.

On July 24, 2024, we conducted an evidentiary hearing as prescribed in Ala. Admin. Code r. 545-X-3. The case for disciplinary action was presented by the Board through its General Counsel, E. Wilson Hunter. Respondent did not appear, and the hearing was held *in absentia* as authorized in Ala. Code § 41-22-12(d). Pursuant to Ala. Admin. Code r. 545-X-3-.08(1), the Honorable William R. Gordon

presided as Hearing Officer. Each side was offered the opportunity to present evidence and argument in support of its respective contentions, and to cross-examine the witnesses presented by the other side. After careful review, we have made our own independent judgments regarding the weight and credibility to be afforded to the evidence, and the fair and reasonable inferences to be drawn from it. Having done so, and as prescribed in Ala. Code § 41-22-16, we enter the following Findings of Fact and Conclusions of Law.

III. Findings of Fact

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

1. Respondent was first licensed to practice medicine and/or osteopathy in the State of Alabama on October 15, 1980, having been issued license no. MD.4559. At all relevant times, Respondent held a license issued by the Commission and was and is subject to the Commission's disciplinary jurisdiction.

2. On December 2, 2022, Respondent submitted a license renewal application for the upcoming 2023 calendar year, in which she certified that she "ha[d] met or will [have met] by December 31 the annual minimum continuing education requirement of 25 AMA PRA Category 1 Credits™ or equivalent continuing medical education for the calendar year 2022 and ha[d] or will have supporting documentation if audited." (Board Exhibit 2 at 2.)

3. In that same application, Respondent checked the checkbox acknowledging the following warning:

“Warning: An annual CME audit is conducted by the Alabama Board of Medical Examiners. Failure to obtain on or before December 31, not less than twenty five (25) AMA PRA Category 1 Credits™ or the equivalent may result in disciplinary action against your medical license including, but not limited to, a reprimand, an administrative fine up to \$2,500, and a report to the National Practitioner Data Bank.”

(Board Exhibit 2 at 2.)

4. On March 30, 2023, the Board sent correspondence to Respondent informing her that she had been randomly selected for an audit of continuing medical education (“CME”) compliance for calendar year 2022. The correspondence was mailed to 1319 Anglewood Drive, Vestavia Hills, Alabama, 35216, which at the relevant times was the only postal address Respondent maintained with the Board. The letter requested that Respondent provide, within 10 days, either documentation substantiating her CME compliance for 2022, or an explanation as to why she could not provide such documentation. (Board Exhibit 3.)

5. The correspondence mailed to Respondent was not returned to the Board. Respondent did not respond.

6. On April 26, 2023, the Board sent out a mass e-mail to all licensees selected for the 2022 CME audit who had not yet responded, including Respondent. This e-mail was sent to Respondent at the only e-mail address she maintained with the Board, which was “evaharvey2013@gmail.com.” The e-mail reiterated

Respondent's obligation to provide documentation of her CME compliance, and specifically requested a response no later than May 4, 2023. (Board Exhibit 5.) Respondent did not respond.

7. On May 23, 2023, the Board followed up with an individual e-mail message to Respondent, reminding her of the preceding correspondence and e-mail, and again inviting a response to the Board's CME audit. This e-mail, too, was sent to "evaharvey2013@gmail.com." (Board Exhibit 6.) Respondent did not respond.

8. The Board followed up again with Respondent on May 31, 2023, by means of a package delivered to Respondent's Vestavia Hills address. The Board also tried to reach Respondent by telephone on May 30 and 31, 2023. (Board Exhibit 7.) Respondent did not respond.

9. In early September 2023, the Board tried to offer Respondent an opportunity to enter into a voluntary settlement agreement to resolve the issues relating to her 2022 CME compliance, and her lack of response to the Board's audit. Board investigator Sam Aikens attempted unsuccessfully to deliver this offer to Respondent personally at the Vestavia Hills address maintained with the Board. Investigator Aikens also sent an e-mail to Respondent at "evaharvey2013@gmail.com" in an effort to arrange delivery of the package, but Respondent did not respond. (Board Exhibits 9, 10, 11.)

10. The Board routinely re-audits physicians for CME compliance in the subsequent year if they do not demonstrate compliance upon an initial audit. On February 27, 2024, therefore, the Board informed Respondent, via an e-mail sent to “evaharvey2013@gmail.com,” that she had been selected for an audit of her 2023 CME compliance. (Board Exhibit 12.) That same day, Respondent replied to the e-mail with documentation demonstrating 20 credits for 2021, 32.25 credits for 2023, and 8 credits for 2024, but no documentation of CME credits earned during 2022. (Board Exhibit 13.)

11. When the Board followed up by e-mail requesting documentation of CME earned during 2022, Respondent replied, from the e-mail address “evaharvey2013@gmail.com,” as follows:

“I did not practice in Alabama in 2022 nor in any year since 2016 although I have practiced in NY, NJ, CT, AZ and NM. Last locum assignment was in January of this year. I’m sure I satisfied all requirements so why does AL need my CME certificates from 2 years ago? What relevance could it possibly have at this point? Eva Rubin MD”

(Board Exhibit 14.)

12. On July 19, 2024, the Board sent its witness and exhibits lists to Respondent via e-mail to “evaharvey2013@gmail.com.” Leaving no doubt as to whether Respondent was actually receiving e-mails at the address “evaharvey2013@gmail.com,” Respondent replied:

What in the world is the purpose of this harassment? I am 77 years old and have maintained a residence in Alabama for nearly 50 years. I graduated from UAB Medical School in 1974, was on the faculty of the medical school for 22 years, then practiced at Montgomery Radiology Associates until 2016. That was the last time I practiced in Alabama although I have renewed my license each year, paid the fee, and to my knowledge submitted all required documentation. I have a stellar reputation as a radiologist/breast imager, having authored numerous publications and lectured extensively in the US and abroad.

Since 2016, I have done locums in Vermont, New York, New Jersey, Connecticut, Pennsylvania, Illinois, New Mexico, Arizona, and West Virginia and have obtained medical licenses and been accredited at medical facilities in all of those states. Since I work onsite, I am rarely home in Alabama. My last locum assignment was in West Virginia from June 24-28. Surely you understand that I could not have done any of this without CME documentation. And I have provided such with all license applications. Sorry if your record keeping is faulty.

I am wondering if your recent troubles with the IMLC <https://www.albme.gov/press-release/alabamas-implcc-status-as-a-state-of-principal-licensure> have prompted this unwarranted pursuit of me, which otherwise would seem to have no purpose.

I am hoping I can sue you for harassment or that you will at least return the fees I paid.

Respectfully yours,

Eva Rubin MD

(Board Exhibit 15.)

13. Despite multiple attempts by the Board to secure evidence that Respondent has complied with the continuing education requirements for 2022, Respondent has not provided any evidence of any CME credits earned during 2022. Nor has Respondent at any time contended that she did not reside in Alabama at the

relevant times. To the contrary, Respondent referred to her Vestavia Hills address as her “home in Alabama.” And, at the relevant times, Respondent designated Alabama as her “State of Principal License” for purposes of the Interstate Medical Licensure Compact.¹

IV. Conclusions of Law

1. The Commission has jurisdiction over the subject matter of this cause pursuant to Act No. 1981-218, Ala. Code §§ 34-24-310, *et seq.*

2. Respondent was properly notified of the time, date, and place of the administrative hearing and of the charges against her in compliance with Ala. Code §§ 34-24-361(e) and 41-22-12(b)(1), and Ala. Admin. Code r. 545-X-3-.03(3), (4). At all relevant times, Respondent was a licensee of the Commission and was and is subject to the Commission’s jurisdiction.

3. Under certain conditions, the Commission “shall have the power and duty to suspend, revoke, or restrict any license to practice medicine or osteopathy in the State of Alabama or place on probation or fine any licensee.” Ala. Code § 34-24-360.

¹ The State of Principal License is “[a] member state where a physician holds a license to practice medicine and which has been designated as such by the physician for purposes of registration and participation in the compact.” Ala. Code § 34-24-521(o).

4. The Commission's CME regulations require that "[e]very physician licensed to practice medicine in Alabama who resides or practices in the state must earn in each calendar year, on or before December 31, not less than twenty-five (25) AMA PRA Category 1 Credits™ or equivalent as defined in this rule of continuing medical education." Ala. Admin. Code r. 545-X-5-.02(1). Further, the regulations require licensees to keep and maintain documentation of CME compliance and to provide that documentation upon the demand of the Board:

"Every physician subject to the minimum continuing medical education requirement established in this Chapter shall maintain records of attendance or certificates of completion demonstrating compliance with the minimum continuing medical education requirement. . . . These records shall be maintained by the physician for a period of three (3) years following the year in which the continuing medical education credits were earned and are subject to examination by representatives of the State Board of Medical Examiners upon request. Every physician subject to the continuing medical education requirement of this Chapter shall, upon request, submit a copy of such records to the State Board of Medical Examiners for verification. Failure to maintain records documenting that a physician has met the minimum continuing medical education requirement, and/or failure to provide such records upon request to the State Board of Medical Examiners is hereby declared to be unprofessional conduct and may constitute grounds for discipline of the physician's license to practice medicine, within the discretion of the Medical Licensure Commission and in accordance with the statutes and regulations governing the disciplining of a physician's license."

Ala. Admin. Code r. 545-X-5-.10.

5. "Failure to comply with any rule of the Board of Medical Examiners or Medical Licensure Commission" constitutes grounds for professional discipline.

Ala. Code § 34-24-360(23).

6. In Count One of the Administrative Complaint, the Board alleges that Respondent failed to earn 25 hours of qualifying CME credit during 2022, and/or failed to provide documentation substantiating the same, as required by Ala. Code § 34-24-360(23) and Ala. Admin. Code r. 545-X-5-.02 and 545-X-5-.10. The evidence before the Commission fully substantiates the Board's allegations as to Count One.

7. It is "unprofessional conduct" within the meaning of Ala. Code § 34-24-360(2) for any physician to "[f]ail[] to furnish information in a timely manner to the board . . . if requested by the board. . . ." Ala. Admin. Code r. 545-X-4-.06(19).

8. In Count Two of the Administrative Complaint, the Board alleges that Respondent is guilty of unprofessional conduct in that she failed to furnish documentation of qualifying CME credits earned in 2022 upon request of the Board. The evidence before the Commission fully substantiates the Board's allegations as to Count Two.

9. Alabama physicians are required by law to provide and maintain a current residential address with the Board and Commission. "If any registrant shall change [her] address during the year for which any certificate of registration shall have been issued by the commission, such registrant shall, within 15 days thereafter, notify the commission of such change" Ala. Code § 34-24-338.

10. In Count Three of the Administrative Complaint, the Board alleges that Respondent violated the requirement to inform the Commission of a change in address as required by Ala. Code § 34-24-338.

11. As to Count Three, the Commission does not agree that Respondent failed to inform the Commission of a change in address as required by Ala. Code § 34-24-338. To the contrary, although Respondent apparently has frequently worked out of state in recent years, Respondent did keep and maintain her Vestavia Hills address as her official residential address on file with the Board and Commission. More importantly, in recent e-mail communications to the Board, Respondent referred to Alabama as her "home." Inasmuch as Respondent considers her Vestavia Hills home to be her permanent place of residence, we are in no place to disagree.

V. Recommended Decision

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

1. That the Respondent, Eva Rubin, M.D., is adjudged GUILTY of failing to earn 25 hours of qualifying CME credit during 2022, and of failing to provide documentation substantiating the same, in violation of Ala. Code § 34-24-360(23) and Ala. Admin. Code r. 545-X-5-.02 and 545-X-5-.10, as charged in Count One of the Administrative Complaint.

2. That the Respondent, Eva Rubin, M.D., is adjudged GUILTY of unprofessional conduct in that she failed to furnish documentation of qualifying CME credits earned in 2022 upon request of the Board, in violation of Ala. Admin. Code r. 545-X-4-.06(19) and Ala. Code § 34-24-360(2), as charged in Count Two of the Administrative Complaint.

3. That the Respondent, Eva Rubin, M.D., is adjudged NOT GUILTY of failing to inform the Commission of a change in her home address in violation of Ala. Code § 34-24-338, as charged in Count Three of the Administrative Complaint.

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

5. That Respondent shall, within 30 days of this Order,² pay an administrative fine in the amount of \$2,500.00 as to Count One, and \$10,000.00 as to Count Two, for a total administrative fine of \$12,500.00.

6. That the Respondent ORDERED to earn a total of 50 AMA PRA Category 1 Credits™ during the 2024 calendar year, representing the standard 25

² See Ala. Admin. Code r. 545-X-3-.08(8)(d)(i). Respondent is further advised that "[t]he refusal or failure by a physician to comply with an order entered by the Medical Licensure Commission" may be a separate instance of "unprofessional conduct." See Ala. Admin. Code r. 545-X-4-.06(6). Failure to pay the assessed costs and fines may therefore form an independent basis for further disciplinary action against Respondent.

hours required by Ala. Admin. Code r. 545-X-5-.02, plus 25 additional “make-up” hours.

7. That within 30 days of this order, the Board shall file and serve its bill of costs as prescribed in Ala. Admin. Code r. 545-X-3-.08(10)(b), and Respondent shall file and serve 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 2nd day of August, 2024.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:

E-SIGNED by Jorge Alsip, M.D.
on 2024-08-02 08:58:11 CDT

Jorge A. Alsip, M.D.
its Chairman