

Tennessee Board of Medical Examiners



Newsletter



2012

A regulatory agency of the State of Tennessee

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CURRENT COMPOSITION OF THE BOARD

As of September 1, 2012, the Board is composed of the following members: Michael Zanolli, M.D., President; Subhi Ali, M.D., Vice-President; Dennis Higdon M.D., Secretary; Michael Baron, M.D.; Neal S. Beckford, M.D.; Keith Lovelady, M.D.; Clinton Allen Musil, Jr., M.D.; Jeff P. Lawrence, M.D.; Barbara Outhier, Public Member; Pat Eller, Public Member; and Nina Yeiser, Public Member.

FORMER PRESIDENT OF THE BOARD OF MEDICAL EXAMINERS STEPS DOWN

MITCHELL MUTTER, MD NAMED MEDICAL DIRECTOR FOR SPECIAL PROJECTS

Mitchell Mutter, MD, FACC, a former chief of staff for UT-Erlanger Hospital in Chattanooga and currently a cardiologist at that facility, joined the Tennessee Department of Health in August as medical director for special projects. Mutter's duties will include liaison services with the Board of Medical Examiners, the Board of Nursing and the Board of Pharmacy.

"Mitchell Mutter is one of our state's most respected physicians and brings the passion and commitment needed to drive improvements affecting the health and well-being of all Tennesseans," said TDH Commissioner John Dreyzehner, MD, MPH. "While he will work with several boards and outside associations, areas of special emphasis for him will be the recently enacted Tennessee Prescription Safety Act and the TDH Controlled Substance Monitoring Database Oversight Committee."

"The state of Tennessee will benefit tremendously from Dr. Mutter's medical expertise and leadership skills," said Charlesetta Woodard-Thompson, president and CEO of the Erlanger Health System. "Dr. Mutter has always been one of Erlanger's strongest advocates, as well as one of Chattanooga's most respected physicians, and we know he will make a positive impact on the health of all Tennesseans with his new position."

Mutter received his medical degree from UT-Memphis. The former UT football player did his internship and residency training at Walter Reed Army Medical Center, and later served as chief of cardiology at Eisenhower Medical Center at Fort Gordon in Augusta, Ga. He was named the Tennessee Medical Association's Outstanding Physician in 2007, and also received the Medical Staff Meritorious Service Award from the Tennessee Hospital Association in 2007. Recently he received the 2012 Distinguished Physicians Award from Erlanger Baroness Foundation.

Mutter is a former president of the Hamilton County Medical Society, the Tennessee Heart Association and the Hamilton County Medical Foundation, and current president of the Tennessee Board of Medical Examiners. He also founded the Children's Nutrition Program of Haiti, an effort he established after his first trip to that country in 1988 to provide medical services and develop a grassroots nutrition program.

BOARD MEETING DATES

2013

January 29-30, 2013

March 19-20, 2013

May 21-22, 2013

July 23-24, 2013

September 17-18, 2013

November 19-20, 2013

All Board meetings begin at 8:30 a.m., Central Time. Board meetings are held at the Board's office and are open to the public. Dates are subject to change, but are listed on the Board's Website. [In the event of an electronic meeting, a conference room is made available to the public and is the location from which the electronic meeting is conducted.]

MISSION OF THE BOARD

The Tennessee Board of Medical Examiners is committed to carrying out its mission to safeguard the health, safety, and welfare of Tennesseans by requiring those who practice medicine and surgery within this state be qualified. The Board awards licenses to qualified candidates who have graduated from approved medical schools and who have completed appropriate postgraduate work. The Board interprets the laws, rules, and regulations to determine the appropriate standards of practice in an effort to ensure the highest degree of professional conduct. The Board is responsible for the investigation of alleged violations of the Practice Act and rules and is responsible for the discipline of licensees who are found guilty of such violations.

LICENSED ISSUED BY THE BOARD IN JANUARY 1-DECEMBER 31, 2011

Through the licensing process, the Board ensures that the professionals we regulate meet the standards of education, training and professional conduct necessary to serve Tennessee patients effectively and safely. In 2011, the Board issued the following licenses:

License Type	Number Issued
Full Licensure	1,107
Locum Tenens Licensure	15
Single Purpose Licensure	19
Special Training Licensure	28
Telemedicine License	77
Distinguished Faculty Licensure	0
Inactive Volunteer Licensure	0
St. Jude Children's Research Hospital License	0

The Board is also vested with the responsibility of ratifying all licenses or certificates for physicians' assistants, x-ray operators in medical doctor's offices, clinical perfusionists, acupunctuists, genetic counselors and polysomnography practitioners. The number of licenses issued in 2011 for healthcare professionals under the Board umbrella are:

Physician Assistants:

1. Full licenses - 93
2. Temporary Permits - 48

MD X-ray Operators:

1. Full Licenses - 344
2. Limited – 124

Clinical Perfusionists:

1. Full Licenses - 10

Acupuncture:

1. Full Licenses - 17
2. ADS - 6

Genetic Counselors:

1. Full licenses - 9
2. Temporary - 0

Polysomnography:

1. Technologists - 23
2. Technicians - 12
3. Trainee - 25

TOTAL LICENSES ISSUED BY BME: The Board issued a total of **1,925** licenses in the year 2011. The breakdown totals are as follows:

MD Full	1,107
MD Locum	15
MD Single Purpose	19
MD Telemedicine	77
PA Full	93
PA Temporary	48
MD X-Ray Full	341
MD X-ray Limited	124
Clinical Perfusion Full	10
Clinical Perfusion Temporary	0
Acupuncture Full	17
Acupuncture ADS	6
Genetic Counselors Full	9
Polysom Technologists	23
Polysom Technicians	12
Polysom Trainees	25
Total	1,925

PHYSICIANS CURRENTLY UNDER MONITORING

At year end 2011, the Board's disciplinary coordinator was "monitoring" **305** physicians:

Suspended	31
Probation	88
Board order and restricted	76
Surrender/revoked	92

ASSISTANCE TO IMPAIRED PRACTITIONERS

The Board is authorized by TENN. CODE ANN. SECT. 63-1-136 to enter into agreements or provide grants to statewide non-profit organizations for the purpose of assisting impaired professionals. The Board provides a grant of \$250,000 to the Tennessee Medical Associations' Physicians Health Program.

TENNESSEE BOARD OF MEDICAL EXAMINERS' POSITION STATEMENT HORMONE REPLACEMENT THERAPY

On January 24, 2012, the Board of Medical Examiners adopted the following policy relative to hormone replacement therapy. The purpose of this policy is to provide guidance to licensed prescribing practitioners who determine that the use of hormone replacement therapy is medically appropriate for a patient.

If a licensed prescribing practitioner during the course of treatment of, and in consultation with, a patient determines that hormone replacement therapy is an appropriate course of action, the Board of Medical Examiners, after consultation with the Board of Osteopathic Examinations, Board of Nursing and the Committee on Physician Assistants believes that the initiation of such therapy must be based on accepted scientific knowledge and sound clinical grounds. Before initiating hormone replacement therapy, a licensed prescribing practitioner **must**:

(a) Take special care to properly educate his/her patient. Patient education is the process of influencing patient behavior and producing the changes in knowledge, attitudes and skills necessary to maintain or improve health. Patient education is critically important because evidence suggests that counseling and patient education provides substantial benefits. Providing patients with complete and current information helps create an atmosphere of trust, enhances the healthcare provider-patient relationship and empowers patients to participate in their own health care. Effective patient education also ensures that patients have a sufficient level of knowledge and understanding, which allows them to make informed decisions regarding their care.

(b) Conduct an initial evaluation of the patient which shall be recorded by the licensed prescribing practitioner (practicing within his/her scope of practice) **prior** to the initiation of hormone replacement therapy. Such evaluation should include an appropriate physical and complete history; appropriate tests; diagnosis; proper indication for the use of the therapy and appropriate medical referrals as indicated by the physical, history, testing and diagnosis; all in accordance with general medical standards of care. Relative contraindications to the use of hormone replacement therapy should be addressed prior to prescribing or dispensing and the patient must be counseled about the risks and benefits associated with the planned therapy and the consultation must be recorded in the patient's chart. Further, it is expected that the licensed prescribing practitioners will monitor the patient's response to therapy based on follow-up visits to assess the effectiveness of the therapy, manage any complications that flow there from, and document the rationale for continuing or modifying the therapy.

(c) Document in the patient's medical chart an informed consent wherein the patient is fully informed about the risks and benefits of the planned therapy sufficient to allow the patient to participate in making choices about his/her

health care. The Board adopts *Opinion 8.08* of the "Code of Medical Ethics" published by the A.M.A. Council on Ethical and Judicial Affairs as it may, from time to time be amended, relative to informed consent.

(d) Insure the adequate medical supervision of allied healthcare providers who are practicing within their scope of practice and pursuant to protocols jointly developed and in accordance with existing statute and rules. Supervision as applied to certified nurse practitioner/prescription writers and physician assistants is governed by Medical Board rules Chapter 0880-6 and 0880-2-.18 respectively.

(e) Advertise hormone replacement therapy in a manner consistent with Tenn. Code Ann. Sect. 63-6-214 (b) (3), (8), and (9) Rule 0880-02-.13 of the Rules and Regulations that Govern the Practice of Medicine.

If a licensed prescribing practitioner fails to abide by the guidance contained herein, he or she may be subject to disciplinary action by the appropriate health-related board with jurisdiction over his/her professional license.

REMINDER REGARDING CONTINUING EDUCATION

The Board's administrative office randomly audits renewal applications to determine compliance with continuing medical education requirements. Each licensee, as a condition of renewal, must obtain 40 hours of category 1 CME during the two calendar years immediately preceding renewal. **Remember:** At least one hour must address prescribing practices.

CHANGE OF ADDRESS

Must be reported (in writing or by e-mail) to the Board's Office within 30 days! Please include the following:

- Your name and license number;
- Your profession;
- Your old address and phone number;
- Your new address and phone number, e-mail address, and/or your fax number;
- Your SIGNATURE!

Keeping the Board's administrative staff up to date on your location facilitates the timely notification to you of important information such as your application for licensure renewal and important statutory and rule changes. You may fax your change to the Board's administrative office at (615) 253-4484 or by mail at: 227 French Landing, Heritage Place Metro Center, Suite 300, Nashville, TN 37243. You also can e-mail the Board at: TN.Health@state.tn.us.

Board's Fax Number: (615) 253-4484

Board's Website: www.state.tn.us/health

STATUTORY CHANGES OF INTEREST TO TENNESSEE PHYSICIANS



The 2012 Legislative Session has ended, and the Administrative Staff has monitored several bills that are of interest to physicians in the state of Tennessee. These public chapters are available on line at:

<http://www.tennessee.gov/sos/acts/index.htm>.

Public Chapter 961

Regulates the practice of interventional pain management, defined as the performance of invasive procedures involving any portion of the spine, spinal cord, sympathetic nerves of the spine or block of major peripheral nerves of the spine, outside of facilities licensed under Title 68. Provides that advanced practice nurses and physician assistants may only perform such procedures under the direct supervision of an appropriately qualified medical or osteopathic physician (as defined under the statute). These restrictions do not apply to the performance of major joint injections other than sacroiliac injections or to soft tissue injections or epidurals for surgical anesthesia or labor. Direct supervision requires the supervising physician to be physically present in the same building at the time of the procedure. Medical and osteopathic physicians may only practice or supervise the practice of interventional pain management if the physician is board certified by certain enumerated boards, is in a practice relationship with a physician who is so qualified, is board certified by a board other than those enumerated and has completed an approved post-graduate training program, is a clinical instructor in pain medicine at a Tennessee accredited medical training program, or is in the active practice of pain management in a clinic accredited by the Accreditation of Rehabilitation Facilities in outpatient interdisciplinary pain rehabilitation

Public Chapter 723

Continues the Committee for Clinical Perfusionists until June 30, 2016. Revises certain provisions regarding appointments to the committee.

Public Chapter 869

Amends definition of pain management clinic. Amends and clarifies exemptions for schools and hospitals and their associated clinics and training programs. Extends deadline to register as a pain management clinic to October 1, 2012 for those operating prior to January 1, 2012. Provides a right to appeal under the Uniform Administrative Procedures Act for those denied a certificate or denied renewal of a certificate. Provides that certificate holders may inactivate the certificate upon notice to the department.

Public Chapter 818

Provides medical and osteopathic physicians immunity from civil liability when reporting to law enforcement suspected unauthorized use of the physician's DEA registration when such report is made in good faith.

Public Chapter 945

Changes the number of months a dentist has to have seen a patient before the dental hygienist can work under general supervision from seven (7) to eleven (11) months and authorizes dental hygienists to practice under direct and/or general supervision in the office of a licensed dentist and under general supervision of a dentist through a written protocol in authorized public health programs, nursing homes, skilled care facilities and nonprofit clinics.

No dentist may enter into a written protocol with more than three (3) dental hygienists at any one time or may any hygienist be engaged in a written protocol with more than three (3) dentists at any one time. Each written protocol will be valid for a period of two (2) years and must be renewed through resubmission to the board. The dentist must notify the board within ten (10) working days if the dentist ceases to be the employer/supervisor of a dental hygienist where a written protocol is in force and on file with the board.

For dental hygienists to practice under general supervision under a written protocol he/she must have actively practiced for at least five (5) years and have practiced two thousand (2,000) hours in the preceding five (5) years **or** taught dental hygiene courses for two (2) of the preceding three (3) years in an accredited dental hygiene program and completed six (6) hours of public health continuing education within the past two (2) years. After meeting this requirement, the dental hygienist may work on a part-time basis.

Each written protocol shall be submitted to the board and shall include at a minimum the name, address, telephone number and license number of the employer (supervising) dentist and the dental hygienist, the name address, telephone number and other pertinent identification from all locations where the dental hygiene services are to be performed, and a statement signed by the dentist that the dentist and the dental hygienist meets all minimum standards for general supervision as well as those required for practice under a written protocol.

Public Chapter 650

Continues the Board of Medical Examiners until June 30, 2016. Revises certain provisions regarding appointments to the board.

Public Chapter 630

Continues the Board of Respiratory Care until June 30, 2016. Revises certain provisions regarding appointments to the board.

Public Chapter 629

Revises certain provisions regarding appointments to the Board of Examiners in Psychology.

Public Chapter 697

Revises certain provisions regarding appointments to and vacancies on the Board of Communications Disorders and Sciences.

Public Chapter 695

Revises certain provisions regarding appointments to the Board of Veterinary Medical Examiners.

Public Chapter 628

Revises certain provisions regarding appointments to the Board of Dentistry.

Public Chapter 836

Provides that all hormone replacement therapy, as defined in the statute, must be performed by medical or osteopathic physicians or by certified nurse practitioners or physician assistants acting under a delegation of such a physician and under written protocols. If delegated to a certified nurse practitioner or physician assistant, the patient must be provided certain information. Requires a physician supervising hormone replacement therapy in hormone replacement therapy clinics, as defined in the statute, to ensure that appropriate physical examinations and medical histories are taken and documented, that appropriate written informed consent is obtained, and that a written order for hormone replacement therapy is contained in the record and documented by a diagnosis justifying the order. The supervising physician must review the patient chart and so certify in the chart within seven days of the order. Hormone replacement therapy clinic is defined as a medical office in which a majority of the clinic's patients receive hormone replacement therapy, but does not include a medical office in which the providers are primarily engaged in obstetrics and gynecology, urology or primary care.



DISCIPLINARY ACTION **November 2011 – August 2012**

The Board took the following actions from November 2011 through September 2012:

NOVEMBER 2011

Individual: Otis M. Anderson, Memphis, Tenn.

Violation: Practicing without a license

Action: Cease and desist from practicing all aspects of medicine; assessed \$21,000 civil penalty

Licensee: Gary T. Barnes, M.D., Signal Mountain, Tenn.

Violation: Violation of board order

Action: Probation extended an additional five years; must meet certain terms and conditions; assessed \$6,500 civil penalty, plus costs

Licensee: George W. Booze, M.D., Kingsport, Tenn.

Violation: Unprofessional conduct, dishonorable or unethical conduct

Action: License placed on probation for three years; must meet certain terms and conditions; assessed \$5,000 civil penalty, plus costs

Licensee: Lee M. Carter, M.D., Huntingdon, Tenn.

Violation: Dispensing, prescribing or otherwise distributing any controlled substance or other drug to any person in violation of any law of the state or of the United States

Action: License reprimanded; must meet certain terms and conditions; assessed \$5,000 civil penalty, plus costs

Licensee: Milford J. Huffnagle II, M.D., Dickson, Tenn.

Violation: Unprofessional conduct

Action: License reprimanded; must meet certain terms and conditions, assessed costs

Licensee: Dan W. Joachim, M.D., Covington, La.

Violation: Action taken by the state of Louisiana

Action: License suspended; assessed \$100 civil penalty, plus costs

Licensee: Raphael D. Lanade, M.D., Chattanooga, Tenn.

Violation: Unprofessional conduct, dishonorable or unethical conduct

Action: License reprimanded; must meet certain terms and conditions; assessed costs

Licensee: Maryanne W. Moore, M.D., Atlanta, Ga.

Violation: Action taken by the state of Maine

Action: License voluntarily surrendered/revoked; assessed costs

Licensee: Carlos A. Salgueiro, M.D., Blytheville, Ark.

Violation: Action taken by the state of Missouri

Action: License reprimanded: assessed costs

JANUARY 2012

Licensee: Charles E. Anderson, M.D., Tullahoma, Tenn.

Violation: Failed to take appropriate histories or perform medically appropriate physical examinations and/or failed to document such; failed to obtain medically appropriate diagnostic tests or obtain appropriate medical consultations; failed to formulate written treatment plans; and failed to monitor signs of drug abuse or diversion

Action: License permanently surrendered/revoked; assessed costs

Licensee: Marin V. Dimitrov, M.D., Bristol, Tenn.

Violation: Unprofessional, dishonorable or unethical conduct; dispensing, prescribing or otherwise distributing any controlled substances or other drug to any person in violation of any law of the state or of the United States

Action: License reprimanded; must meet certain terms and conditions; assessed \$500 civil penalty, plus costs

Licensee: Allen R. Foster, M.D., Knoxville, Tenn.

Violation: Unprofessional, dishonorable or unethical conduct; guilty of a crime

Action: License revoked; assessed costs

Licensee: Douglass W. Green, M.D., Bristol, Tenn.

Violation: Dispensing, prescribing or otherwise distributing any controlled substances or other drug not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, or in amounts and/or for durations not medically necessary, advisable or justified for a diagnosed condition

Action: License suspended for 60 days; must meet certain terms and conditions; assessed \$4,000 civil penalty, plus costs

Licensee: Ralph T. Ho, M.D., Reno, Nev.

Violation: Action taken by the state of Nevada

Action: License suspended for one year, with suspension stayed upon condition that he obtains an alcohol evaluation and complies with its recommendations; assessed costs

Licensee: John Jagers, III, M.D., Cleveland, Tenn.

Violation: Unprofessional, dishonorable or unethical conduct

Action: License reprimanded; assessed \$11,000 civil penalty, plus costs

Licensee: Christopher J. Klugewicz, M.D., Lookout Mountain, Tenn.

Violation: Unprofessional, dishonorable or unethical conduct; abandonment of records

Action: License reprimanded; assessed costs

Licensee: Robert E. Korman, M.D., Brooklandville, Md.

Violation: Action taken by the state of Maryland; guilty of a crime

Action: License suspended for three month, followed by five years probation; must meet certain terms and conditions; assessed costs

Licensee: Marcus Min, M.D., Madison, Tenn.

Violation: Dispensing, prescribing or otherwise distributing any controlled substances or other drug not in the course of

professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, or in amounts and/or for durations not medically necessary, advisable or justified for a diagnosed condition

Action: License placed on probation for three years; must meet certain terms and conditions; assessed \$5,000 civil penalty, plus costs

Licensee: Bernard C. Moses, M.D., Williamsburg, Ky.

Violation: Unprofessional, dishonorable or unethical conduct; action taken by the state of Kentucky

Action: License voluntarily surrendered/revoked; assessed costs

Licensee: Richard D. Rossin, M.D., Eden Prairie, Minn.

Violation: Action taken by the state of California

Action: Assessed \$500 civil penalty

Licensee: Charles W. White, M.D., Lexington, Tenn.

Violation: Unprofessional, dishonorable or unethical conduct; habitual intoxication or personal misuse of any drugs or the use of intoxicating liquors, narcotics, controlled substances or other drugs or stimulants in such a manner as to adversely affect the person's ability to practice medicine

Action: License placed on probation for two years; must meet certain terms and conditions; assessed costs

FEBRUARY 2012

Licensee: Winifred Lassiter, M.D., Murfreesboro, Tenn.

Violation: Unprofessional conduct, dishonorable or unethical conduct; dispensing, prescribing or otherwise distributing any controlled substance or other drug to any person in violation of any law of the state or of the United States

Action: License placed on probation for three years; must meet certain terms and conditions; assessed \$1,500 civil penalty, plus costs

Licensee: Steven B. Stubblefield, M.D., Chattanooga, Tenn.

Violation: Unprofessional, dishonorable or unethical conduct; making false statements or representations, being guilty of fraud or deceit in obtaining admission to practice or being guilty of fraud or deceit in the practice of medicine

Action: License placed on probation for five years; assessed \$1,000 civil penalty, plus costs

MARCH 2012

Licensee: Christine H. Evans, M.D., Lexington, Tenn.

Violation: Violation of board order

Action: License revoked; assessed \$1,000 civil penalty, plus costs; must pay remaining balance from previous order

Licensee: Ira A. Fleming, X-Ray Op., Mt. Juliet, Tenn.

Violation: Violation of board order

Action: License suspended; must meet certain terms and conditions

Licensee: Clifford A. Seyler, M.D., Tullahoma, Tenn.

Violation: Unprofessional, dishonorable or unethical conduct; dispensing, prescribing or otherwise distributing any controlled substance or any other drug not in the course of professional practice, or not in good faith to relieve pain and

suffering, or not to cure an ailment, physical infirmity or disease, or in amounts and/or for durations not medically necessary, advisable or justified for a diagnosed condition

Action: License reprimanded; must meet certain terms and conditions; assessed \$2,000 civil penalty, plus costs

Licensee: William H. Shuler, M.D., Aiea, HI

Violation: Unprofessional, dishonorable or unethical conduct; action taken by the state of Utah

Action: License reprimanded; assessed costs

Licensee: William A. Walker, M.D., Johnson City, Tenn.

Violation: Gross malpractice or a pattern of continued or repeated malpractice, ignorance, negligence or incompetence in the course of medical practice; dispensing, prescribing or otherwise distributing any controlled substance or any other drug not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, or in amounts and/or for durations not medically necessary, advisable or justified for a diagnosed condition

Action: License placed on probation for five years effective September 27, 2011; must meet certain terms and conditions; assessed \$4,000 civil penalty, plus costs

APRIL 2012

Licensee: Robert W. MaGee, M.D., Ripley, Tenn.

Violation: Dishonorable or unethical conduct

Action: License suspended for one year followed by not less than two years probation; must meet certain terms and conditions; assessed \$1,000 civil penalty, plus costs

Licensee: Allen R. Walker Jr., M.D., Cottontown, Tenn.

Violation: Unprofessional, dishonorable or unethical conduct; gross malpractice, or a pattern of continued or repeated malpractice, ignorance, negligence or incompetence in the course of medical practice; dispensing, prescribing or otherwise distributing any controlled substances or other drug not in the course of professional practice or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, or in amounts and/or for durations not medically necessary, advisable or justified for a diagnosed condition; dispensing, prescribing or otherwise distributing any controlled substance or other drug to any person in violation of any law of the state or of the United States; engaging in the practice of medicine when mentally or physically unable to safely do so

Action: License voluntarily surrendered/revoked; assessed costs

MAY 2012

Licensee: Veena Anand, M.D., Hohenwald, Tenn.

Violation: Engaging in the practice of medicine when mentally or physically unable to safely do so

Action: License permanently surrendered/revoked, assessed costs

Licensee: Naiyer Imam M.D., Farmingdale, NY

Violation: Unprofessional, dishonorable or unethical conduct; action taken by the state North Carolina

Action: License reprimanded; assessed \$500 civil penalty, plus costs

Licensee: Laurence B. Kandel, M.D., Franklin, Tenn.

Violation: Action taken by the state of New York

Action: License reprimanded; assessed costs

Licensee: Deborah Wen-Yee Mark, M.D., Lebanon, Tenn.

Violation: Guilty of a crime

Action: License permanently revoked; assessed costs

Licensee: Christopher V. Matthews, M.D., Kingsport, Tenn.

Violation: Dispensing, prescribing or otherwise distributing any controlled substance or any other drug not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, or in amounts and/or for durations not medically necessary, advisable or justified for a diagnosed condition

Action: License placed on probation for three years; must meet certain terms and condition; assessed \$1,000 civil penalty, plus costs

Licensee: Richard F. Salluzzo, M.D., Clear Water, Fla.

Violation: Action taken by the state of Massachusetts

Action: License reprimanded; assessed \$3000 civil penalty, plus costs

Licensee: Audrey M. Smith, M.D., Knoxville, Tenn.

Violation: Habitual intoxication or personal misuse of any drugs or the use of intoxicating liquors, narcotics, controlled substances or other drugs or stimulants in such manner as to adversely affect the person's ability to practice medicine

Action: Must maintain lifetime advocacy of the Tennessee Medical Foundation; assessed costs

Licensee: Michael K. Voth, M.D., Lynchburg, Va.

Violation: Failed to pay professional privilege tax

Action: License retired; must pay unpaid professional privilege tax before reapplying; assessed costs

JUNE 2012

Licensee: James H. Hudson, M.D., Valdosta, Ga.

Violation: Action taken by the state of Georgia

Action: License placed on probation to run concurrent with action taken by the state of Georgia; must maintain lifetime advocacy with the Tennessee Medical Foundation

Licensee: Mireille LaLanne, M.D., Boca Raton, Fl.

Violation: Violation of board order

Action: License revoked; assessed costs

JULY 2012

Licensee: Steven K. Austin, M.D., Chattanooga, Tenn.

Violation: Habitual intoxication or personal misuse of any drugs or the use of intoxicating liquors, narcotics, controlled substances or other drugs or stimulants in such a manner as to adversely affect the person's ability to practice medicine

Action: License placed on probation for not less than four years; must meet certain terms and conditions; assessed \$1,000 civil penalty, plus costs

Licensee: Colleen M. Brophy, M.D., Nashville, Tenn.

Violation: Habitual intoxication or personal misuse of any drugs or the use of intoxicating liquors, narcotics, controlled substances or other drugs or stimulants in such a manner as to adversely affect the person's ability to practice medicine; engaging in the practice of medicine when mentally or physically unable to safely do so.

Action: License placed on probation for not less than five years; must meet certain terms and conditions; assessed costs

Licensee: Michael N. Dube, M.D., Johnson City, Tenn.

Violation: Unprofessional dishonorable or unethical conduct; making false statements or representations, being guilty of fraud or deceit in obtaining admission to practice or being guilty of fraud or deceit in the practice of medicine; guilty of a crime

Action: License revoked for not less than one year; assessed costs

Licensee: Swatantra Kodali M.D., Morristown, Tenn.

Violation: Unprofessional, dishonorable or unethical conduct; gross malpractice, or a pattern of continued or repeated malpractice, ignorance, negligence or incompetence in the course of medical practice; dispensing, prescribing or otherwise distributing any controlled substance or any other drug not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, or in amount and/or for durations not medically necessary, advisable or justified for a diagnosed condition.

Action: License retired; must meet certain terms and conditions before reactivating license

Licensee: Jack A. Norden, M.D., Ft. Lauderdale, Fl.

Violation: Action taken by the state of Florida

Action: License permanently surrendered; assessed costs

Licensee: Douglas A. Shields, M.D., Jonas Ridge, NC

Violation: Action taken by the state of North Carolina

Action: License voluntarily retired not to be reinstated until certain terms and conditions have been met; assessed costs

Licensee: Timothy S. Whitaker, M.D., Blue Ridge, Ga.

Violation: Action taken by the state of Alaska

Action: License reprimanded; assessed \$1,000 civil penalty, plus costs

AUGUST 2012

Licensee: Harry A. Zain, M.D., Morristown, Tenn.

Violation: Unethical conduct; sexual misconduct with a patient; prescribed two prescriptions for controlled medications without an office encounter and without adequate documentation

Action: License reprimanded; must meet certain terms and conditions; assessed \$1,500 civil penalty

SEPTEMBER 2012

Licensee: Benjamin F. Booker, III, M.D., Franklin, Tenn.

Violation: Unprofessional, dishonorable or unethical conduct; making false statements or representations, being guilty of fraud or deceit in obtaining admission to practice or being guilty of fraud and deceit in the practice of medicine; failure to report criminal conviction; habitual intoxication or personal misuse of any drugs or the use of intoxicating liquors, narcotics, controlled substances or other drugs or stimulants in such manner as to adversely affect the person's ability to practice medicine; guilty of a crime; dispensing, prescribing or otherwise distributing any controlled substance or any other drug not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, or in amounts and/or for durations not medically necessary, advisable or justified for a diagnosed condition; dispensing, prescribing or otherwise distributing any controlled substance or other drug to any person in violation of any law of the state or of the United States; engaging in the practice of medicine when mentally or physically unable to safely do so

Action: License suspended for not less than two years; must meet certain terms and conditions; assessed costs

Licensee: Charles Brooks, M.D., Maryville, Tenn.

Violation: Unprofessional, dishonorable or unethical conduct; in violation of Principles of Medical Ethics §.14, Sexual Misconduct in the Practice of Medicine

Action: License placed on probation for not less than five years; must meet certain terms and conditions; assessed \$2,000 civil penalty, plus costs

Licensee: Amjad I. Butt, M.D., Havertown, Pa.

Violation: Unprofessional, dishonorable or unethical conduct; action taken by the state of Iowa

Action: Upon reactivation of license to be placed on probation for not less than five years; must meet certain terms and conditions; assessed costs

Licensee: Stephen W. Fry, M.D., Kingsport, Tenn.

Violation: Unprofessional, dishonorable or unethical conduct; violation or attempted violation, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate any provision of this chapter or, any lawful order of the board issued pursuant thereto or any criminal statute of this state of Tennessee; making false statements or representations, being guilty of fraud or deceit in obtaining admission to practice or being guilty of fraud or deceit in the practice of medicine

Action: License placed on probation for five years; must meet certain terms and conditions; assessed \$6,000 civil penalty, plus costs

Licensee: Thomas M. Gorman, M.D., Franklin, Tenn.

Violation: Unprofessional, dishonorable or unethical conduct; habitual intoxication or personal misuse of any drugs or the use of intoxicating liquors, narcotics, controlled substances or other drugs or stimulants in such manner as to adversely affect the person's ability to practice medicine; guilty of a crime; dispensing, prescribing or otherwise distributing any controlled substance or any other drug not in the course of professional practice, or not in good faith to relieve pain and

suffering, or not to cure an ailment, physical infirmity or disease, or in amounts and/or for durations not medically necessary, advisable or justified for a diagnosed condition; dispensing, prescribing or otherwise distributing any controlled substance or other drug to any person in violation of any law of the state or of the United States

Action: License suspended for no less than 60 days; must meet certain terms and conditions; assessed costs

Licensee: Winston H. Griner, Sr., M.D., Nashville, Tenn.

Violation: Unprofessional conduct, dishonorable or unethical conduct; dispensing, prescribing or otherwise distributing any controlled substance or other drug not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, or in amounts and/or for durations not medically necessary, advisable or justified for diagnosed conditions.

Action: License suspended effective January 1, 2013 for 90 days; must meet certain terms and conditions; assessed costs

Licensee: Michael F. Lett, M.D., Knoxville, Tenn.

Violation: Unprofessional conduct, dishonorable or unethical conduct

Action: License reprimanded; must meet certain terms and conditions; assessed \$500 civil penalty, plus costs

Licensee: Allan M. Menachem, M.D., Jackson, Tenn.

Violation: Unprofessional conduct, dishonorable or unethical conduct

Action: Must have female nurse present when examining female patients; agrees to random, periodic chart reviews to determine compliance with terms; assessed costs

Licensee: Kiran Patibandla, M.D., Kingsport, Tenn.

Violation: Unprofessional or dishonorable or unethical conduct; violation or attempted violation, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate any provision of this chapter or, any lawful order of the board issued pursuant thereto or any criminal statute of the state of Tennessee

Action: License reprimanded; must meet certain terms and conditions; assessed costs

Licensee: Michael D. Ralston, M.D., Memphis, Tenn.

Violation: Dishonorable or unethical conduct; action taken by the state of Mississippi

Action: Must meet certain terms and conditions; assessed costs

Licensee: Daniel Slonaker, M.D., Erwin, Tenn.

Violation: Failed to follow appropriate protocols in prescribing or dispensing drugs

Action: License voluntarily surrendered/permanent revocation; assessed costs

Licensee: Susan E. Webb, M.D., Knoxville, Tenn.

Violation: Dishonorable or unethical conduct; personal misuse of any drugs or the use of intoxicating liquors, narcotics, controlled substances or other drugs or stimulants in such manner as to adversely affect the person's ability to practice medicine

Action: License placed on probation for five years; must meet certain terms and conditions; assessed costs

Licensee: John B. Woods, M.D., Jackson, Tenn.

Violation: Habitual intoxication or personal misuse of any drugs or the use of intoxicating liquors, narcotics, controlled substances or other drugs or stimulants, in such manner as to adversely affect the person's ability to practice medicine; dispensing, prescribing or otherwise distributing any controlled substance or any other drug to any person in violation of any law of the state or of the United States

Action: License placed on probation for not less than five years; must meet certain terms and conditions; assessed \$2,000 civil penalty, plus costs