



**TENNESSEE BOARD OF
PHYSICIAN ASSISTANTS**

Allen Tate, P.A v. State of Tennessee Board of Physician Assistants

April 20, 2023

MINUTES

The contested case (Allen Tate, PA) of the Tennessee Board of Physician Assistants (hereinafter, "the Board") was called to order on April 20, 2023, at 9:00 a.m. in the Iris Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive Nashville, TN 37243.

Administrative Law Judge: Judge Michael Begley

Panelists: Andrew Hull, PA-C
Barbara Thornton, Consumer Member
Gregory Cain, PA-C
Robert White, PA-C

Counsel for State: Gerard Dolan, Senior Associate General Counsel

Counsel for Respondent: Sam Hembrecht

After consideration of the Notice of Charges, the evidence presented by both parties, and the record, the Board finds as follows:

The Tennessee Board of Physician Assistants has issued a final order in the matter of Allen E. Tate, P.A. The Board found that Tate, a licensed physician assistant in the state of Tennessee, had violated certain regulations while employed at a pain management clinic. The violations were outlined in a Notice of Charges and Memorandum for Assessment of Civil Penalties. After considering evidence and arguments from both parties, the Board found that Tate had committed violations and issued a final order. During his employment at the Lincoln Tree Clinic, Allen E. Tate, a licensed physician assistant in Tennessee, provided incomplete and insufficient documentation for the treatment of his patients, according to an investigation conducted by the Department of Health. The investigation reviewed 21 patient records prepared by Tate.

The Tennessee Board of Physician Assistants found that Tate had violated regulations and issued a final order, which authorized disciplinary action against Tate's license to practice as a physician assistant in the state. The Tennessee Board of Physician Assistants found that Allen E. Tate, a licensed physician assistant in Tennessee, had violated regulations related to unprofessional conduct, malpractice, improper prescribing practices, and violation of prescribing statutes. As a result, Tate's license is placed on probation for a period of not less than two years, during which he must maintain good and lawful conduct. The Tennessee Board of Physician Assistants and the Tennessee Board of Medical Examiners aim to protect the health, safety, and welfare of people in the state. In addition to the practice monitoring requirements, Allen E. Tate must also comply with all recommendations of the practice monitor program.

Allen E. Tate's physician assistant license in Tennessee is placed on probation for a period of not less than two years. During this probationary period, Tate must maintain good and lawful conduct. Any violation of a statute, rule, or law related to his practice or ability to practice safely and competently will constitute a violation of the terms of the Agreed Order and may subject him to additional disciplinary action. Prior to petitioning to lift the probation, Tate must obtain practice monitoring through a program approved by the Board, such as the Center for Personalized Education for Professionals or Affiliated Monitors, Inc. The monitoring will continue for a period of at least two years or until the probation is lifted, whichever is longer. The practice monitor will review 100% of Tate's patient records quarterly for the first year, and twice during the second year, and issue a report to the Board's Medical Director detailing Tate's compliance with recommendations and completion of any educational program prescribed by the practice monitor. Failure to comply with these recommendations will constitute a violation of the Agreed Order and may subject Tate's license to additional discipline.

Tate must register for and successfully complete two medical courses within specific timeframes. The first course is the "Intensive Course in Medical Documentation: Clinical, Legal and Economic Implications for Healthcare Providers," offered by the Case Western Reserve University Continuing Medical Education Program at Case

Western Reserve University School of Medicine in Cleveland, Ohio, or an equivalent course approved in advance by the Board. Tate must provide proof of completion to the Disciplinary Coordinator. The second course is the "Prescribing Controlled Drugs: Critical Issues and Common Pitfalls" course offered by Vanderbilt University Medical Center, or an equivalent course approved in advance by the Board. Again, Tate must provide proof of completion to the Disciplinary Coordinator. Any Continuing Education hours earned from attending and completing these courses will be in addition to the CE hours required to maintain licensure. If Allen E. Tate fails to submit proof of registration for the required courses within three months of the effective date of the Agreed Order, or proof of completion of the courses within twelve months of the effective date, it will constitute a violation of the Order and may subject him to additional disciplinary action. Tate must also pay the actual and reasonable costs of investigating and prosecuting this case, which will be established by an Assessment of Costs prepared by the Department's counsel and filed with the Board. These costs shall not exceed \$50,000 and must be paid within twelve months of the issuance of the Assessment of Costs. Payment must be made by certified check, cashier's check, or money order, payable to the State of Tennessee, Department of Health, and forwarded to the Disciplinary Coordinator at the Tennessee Department of Health. Mr. Hull made a motion to approve. Ms. Thornton seconded. The motion passed.

The case adjourned at 6:36pm