



ALABAMA BOARD OF MEDICAL EXAMINERS **NEWSLETTER**

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Proposed office based surgery rules

At its January 15, 2003, meeting, after extensive research and discussion, the Alabama Board of Medical Examiners voted to propose Rules concerning office-based surgery. The proposed Chapter 540-X-10 was published in the January 31, 2003, Alabama Administrative Monthly for public comment. A public hearing was held on February 20, 2003. A copy of the proposed Rules is available at the Board of Medical Examiners' web site at www.albme.org/bmerules.htm, or go to the home page, www.albme.org, and choose "Administrative Rules" from the menu. The comment period ended March 7, 2003. The Board of Medical Examiners plans to review all comments and information received and approve or amend the rules at its April 2003 meeting. ■

Internet Prescribing

In April 2000, the Board promulgated an Administrative Rule concerning having physical contact with a patient before prescribing to the patient. All licensed physicians in Alabama should be aware that the Board has determined that it is usually inappropriate to prescribe drugs to an individual whom the prescriber has not personally examined, and prescribing to an individual whom the physician has never met based on a series of questions, as is common in Internet prescribing, is inappropriate and unprofessional. The text of the Rule is as follows:

540-X-9-.11 Contact with Patients before Prescribing.

- (1) It is the position of the Board that prescribing drugs to an individual the prescriber has not personally examined is usually inappropriate. Before prescribing a drug, a physician should make an informed medical judgment based on the circumstances of the situation and on his or her training and experience. Ordinarily, this will require that the physician personally perform an appropriate history and physical examination, make a diagnosis, and formulate a therapeutic plan, a part of which might be a prescription. This process must be documented appropriately.
 - (2) Prescribing for a patient whom the physician has not personally examined may be suitable under certain circumstances. These may include, but not be limited to, admission orders for a patient newly admitted to a health care facility, prescribing for a patient of another physician for whom the prescriber is taking call, or continuing medication on a short-term basis for a new patient prior to the patient's first appointment. Established patients may not require a new history and physical examination for each new prescription, depending on good medical practice.
 - (3) It is the position of the Board that prescribing drugs to individuals the physician has never met based solely on answers to a set of questions, as is common in Internet or toll-free telephone prescribing, is inappropriate and unprofessional. ■
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Medical Licensure Commission PUBLIC ACTION REPORT September 2002 through March 2003

On September 5, 2002, the Commission entered an Order indefinitely suspending the license to practice medicine in Alabama of Michael Arthur Schwartz, M. D., license number MD.00011378, Kenner LA.

On September 5, 2002, the Commission entered an Order reinstating the license to practice medicine in Alabama of Julian C. Serrano, M. D., license number MD.00017862, Des Moines IA.

On September 11, 2002, the Commission entered an Order reinstating the license to practice medicine in Alabama of Janie T. Teschner, license number MD.00014227, Tuscaloosa AL, with certain conditions.

On September 25, 2002, the Commission and Joe Van Kilpatrick, M. D., license number MD.00012802, Colorado Springs CO, entered into a Stipulation and Consent Order wherein Dr. Kilpatrick's license was reprimanded and he was assessed an administrative fine.

On October 7, 2002, the Commission entered an Order denying the application for reinstatement of the license to practice medicine in Alabama of Youssef Nashed Makar, M. D., license number MD.00006823, Birmingham AL.

On October 10, 2002, the Commission and Michael R. Ross, M. D., license number MD.00022432, Baltimore MD, entered into a Stipulation and Consent Order wherein Dr. Ross' license to practice medicine in Alabama was placed on probation for a period of 24 months, subject to certain conditions.

On October 14, 2002, the Commission entered an Order revoking the license to practice medicine in Alabama of Frances D. Salter, M. D., license number MD.00012252, Atmore AL. Dr. Salter is not authorized to practice medicine in Alabama.

On October 24, 2002, the Commission entered an Order revoking the license to practice medicine in Alabama of Byung Wan Chun, M. D., license number MD.00008736, Montgomery AL. Dr. Chun is no longer authorized to practice medicine in Alabama.

On October 30, 2002, the Commission entered an Order denying the application for reinstatement of license filed by George Samuel Kouns, D. O., license

number DO.493, Fultondale AL.

On October 30, 2002, the Commission entered an Order revoking the license to practice medicine in Alabama of Walter O. Anderson, M. D., license number MD.00019547, Lexington IN.

On November 21, 2002, the Commission entered an Order summarily suspending the license to practice medicine in Alabama of James R. Curtiss, M. D., license number MD.00018209, Mobile AL, until such time as the Administrative Complaint of the Board of Medical Examiners shall be heard and a decision rendered thereon.

On November 21, 2002, the Commission entered an Order summarily suspending the license to practice medicine in Alabama of Joseph H. Hastie, Jr., M. D., license number MD.00022943, Rainbow City AL, until such time as the Administrative Complaint of the Board of Medical Examiners shall be heard and a decision rendered thereon.

On November 21, 2002, the Commission entered an Order summarily suspending the license to practice medicine in Alabama of Richard J. Clement, M. D., license number MD.00005086, Lake Charles LA, until such time as the Administrative Complaint of the Board of Medical Examiners shall be heard and a decision rendered thereon.

On November 27, 2002, the Commission entered an Order revoking the license to practice medicine in Alabama of Joe Howle Sox, M. D., license number MD.00003479, Gulf Shores AL.

On November 27, 2002, the Commission entered an Order revoking the license to practice medicine in Alabama of Kathryn A. Pitman, M. D., license number MD.00015547, Mobile AL.

On December 23, 2002, the Commission entered an Order revoking the license to practice medicine in Alabama of Philip K. Bobo, M. D., license number MD.00000006261, Tuscaloosa AL. Dr. Bobo is no longer authorized to practice medicine in Alabama as of January 2, 2003.

On December 27, 2002, the Commission entered an Order removing restrictions previously attached to the license to practice medicine in Alabama of John Melburn D. Holmes, M. D., license number MD.000009079, Roanoke AL. Dr. Holmes now possesses an unrestricted license to practice medicine in Alabama.

see MLC Public Action, page 3

MLC Public Action cont'd

On December 27, 2002, the Commission entered an order placing on indefinite probation the license to practice medicine in Alabama of James Michael Sornsin, M. D., license number MD.00010656, Cullman AL.

On December 27, 2002, the Commission entered an Order reinstating with indefinite probation the license to practice medicine in Alabama of Frank Burkett Fondren, III, M. D., license number MD.00010207, Mobile AL.

On January 6, 2003, the Commission entered an Order reinstating the license to practice medicine in Alabama of Frank B. Fondren, III, M. D., license number MD.00010207, Mobile AL, subject to certain conditions.

The Commission entered an Order effective as of January 13, 2003, revoking the license to practice medicine in Alabama of Gary Michael Pelat, M. D., license number MD.00008468, Montgomery AL.

The Commission entered an Order effective February 4, 2003, revoking the license to practice medicine in Alabama of Seyed B. Moayedpardazi, Jr., M. D., license number MD.00011144, Decatur AL.

On February 3, 2003, the Commission entered an Order reinstating with conditions the license to practice medicine in Alabama of Ernest A. Claybon, M. D., license number MD.00007543, Birmingham AL.

On February 3, 2003, the Commission entered an Order reinstating with conditions the license to practice medicine in Alabama of David R. Jenkins, M. D., license number MD.00013060, Montgomery AL.

On February 3, 2003, the Commission entered an Order denying the application for reinstatement of license to practice medicine in Alabama of Oscar F. Fadul, M. D., license number MD.00009585, Huntsville AL.

On February 3, 2003, the Commission entered an Order revoking the license to practice medicine in Alabama of Richard J. Clement, M. D., license number MD.0005086, Lake Charles LA.

On March 8, 2003, the Commission entered an Order reinstating the license to practice medicine in Alabama of Bruce Howard Brennaman, M. D., license number MD.00018575, Cataula GA.

On March 8, 2003, the Commission entered an Order

indefinitely suspending the license to practice medicine in Alabama of Joseph H. Hastie, Jr., M. D., license number MD.00022943, Gadsden AL.

On March 8, 2003, the Commission entered an Order staying the requirements of previous orders of the Commission concerning Jerry Roger Culpepper, D. O., license number DO.091, Ider AL. Dr. Culpepper has closed his office and fully retired. It is the Order of the Commission that Dr. Culpepper shall not re-enter the practice of medicine in Alabama without approval of the Commission.

On March 13, 2003, the license to practice medicine in Alabama of James Richard Curtiss, M. D., license number MD.00018209, Mobile AL, was revoked by Order of the Commission dated March 8, 2003.

On March 14, 2003, the license to practice medicine in Alabama of Samuel L. Gladney, M. D., license number MD.00017835, Saginaw TN, was revoked by Order of the Commission dated March 8, 2003.

On March 17, 2003, the license to practice medicine in Alabama of Miles J. Jones, M. D., license number MD.00022231, Clayton GA, was revoked by Order of the Commission dated March 12, 2003.

On March 27, 2003, the license to practice medicine in Alabama of Eugene Evans, M. D., license number MD.00013574, Montgomery AL, was summarily suspended by Order of the Commission dated March 26, 2003, until such time as the Board's Administrative Complaint shall be heard and a decision rendered thereon.

On March 31, 2003, the Commission entered an Order reinstating the license to practice medicine in Alabama of John Alan Wages, M. D., license number MD.00009597, Dothan AL, subject to certain terms and conditions.

On March 31, 2003, the Commission entered an Order terminating the probation of the license to practice medicine in Alabama of Larry W. Taylor, D. O., license number DO.453, Hoover AL. Dr. Taylor now possesses a full, unrestricted license to practice medicine in Alabama. ■

Alabama Board of Medical Examiners NEWSLETTER is published quarterly for physicians who hold a license to practice medicine or osteopathy in the state of Alabama. The newsletter is designed to keep the licensed physicians of Alabama updated as to developments in the regulation of the practice of medicine in this state. The Board welcomes your comments, questions, or other input.

Larry Dixon, Executive Director, P.O. Box 946, Montgomery, AL 36101-0946 or call (334) 242-4116 or fax (334) 242-4155. Please visit our web site: www.albme.org.

Board of Medical Examiners PUBLIC ACTION REPORT

September 2002 through March 2003

On September 27, 2002, the Board entered an Order terminating all restrictions entered against the certificate of qualification and license to practice medicine of John Melburn D. Holmes, M. D., license number MD.00009079, Roanoke AL. Dr. Holmes now possesses a full, unrestricted license to practice medicine in Alabama.

On November 20, 2002, the Board accepted the voluntary surrender of the certificate of qualification and license to practice medicine in Alabama of Charles D. Quarles, M. D., license number MD.00011755, York AL. Dr. Quarles is no longer authorized to practice medicine in Alabama.

On November 20, 2002, the Board accepted the voluntary surrender of the certificate of qualification and license to practice medicine in Alabama of Marc M. Levine, M. D., license number MD.00016178, Manalapan NJ. Dr. Levine is no longer authorized to practice medicine in Alabama.

On November 20, 2002, the Board accepted the voluntary restriction on certificate of qualification and license to practice medicine in Alabama of Edward H. Thompson, M. D., license number MD.00002939, Gadsden AL.

On December 9, 2002, the Board entered an Order denying the application of John J. Villaverde, M. D.,

license number MD.00011177, Naperville IL, for reinstatement of his certificate of qualification for a license to practice medicine in Alabama.

On December 14, 2002, James E. Thomas, M. D., license number MD.00007884, Troy AL, entered voluntary restrictions against his certificate of qualification and license to practice medicine in Alabama.

On December 31, 2002, the Board entered an Order terminating the Consent Order with restrictions previously entered against the certificate of qualification to practice medicine in Alabama of Victoria L. Woods Anderson, M. D., license number MD.00014888, Mobile AL. Dr. Anderson now possesses a full, unrestricted certificate of qualification to practice medicine in Alabama.

On January 2, 2003, the Board entered an Order removing the voluntary restriction previously placed on the certificate of qualification to practice medicine in Alabama of Gail Roger Williams, M. D., license number MD.00018659, Montgomery AL. Dr. Williams now possesses a full, unrestricted certificate of qualification to practice medicine in Alabama.

On January 15, 2003, the Board accepted the Voluntary Surrender of the Alabama Controlled Substances Certificate of Theodore Ramos, M. D., ACSC number ACSC.00022851. Dr. Ramos is no longer authorized to prescribe controlled substances in Alabama.

On January 23, 2003, the Board entered an Order reinstating with conditions the license to practice as a physician assistant in Alabama of Edwin Sanders, P. A., license number PA.118, Vicksburg MS. ■

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