



ALABAMA State Board of Medical Examiners Medical Licensure Commission

Newsletter and Report

www.albme.org

April– June 2014

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Registration is open for
the November courses.

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ALERT

Because of variations in compounded substances, dosing, issues concerning informed consent regarding hormone pellet placement, and the potential adverse effects of compounded hormone pellet insertions, the Board of Medical Examiners is undertaking a review of the use of hormonal pellet therapy. In this process of review, the Board is requesting that **all medical practices performing pellet insertion be aware of possible new rules regarding hormone pellet therapy.** The Board is concerned about hormone pellet use and possible public safety issues associated with their use.

A Message from the Executive Director Terminating a physician/patient relationship

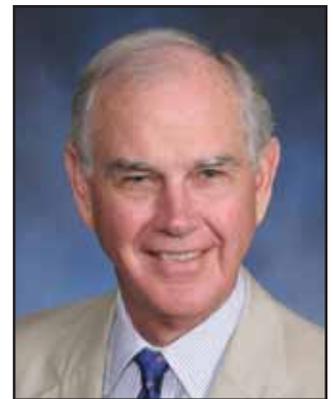
I have received several comments and questions relative to the appropriate and ethical manner in which a physician terminates a relationship with a patient for any one of various reasons. Fortunately, the American Medical Association's Council on Ethical and Judicial Affairs (CEJA) has addressed this issue in the past, and it is that opinion upon which the following is based.

Once a physician/patient relationship has begun, a physician is generally under both an ethical and legal obligation to treat that patient until medical care is no longer needed. However, there are times when the relationship appears not to be working for either the patient or the physician. This can result when a patient becomes noncompliant, unreasonably demanding, threatening or disruptive in the office or to your staff. In particular, should a patient become attracted to a physician or the physician to a patient, it would be imperative that the physician complies with the AMA's opinion and the physician/patient relationship terminates.

The CEJA opinion states that a physician may not discontinue treatment of a patient, as long as further treatment is medically indicated, without giving the patient reasonable notice and sufficient opportunity to make alternative arrangements for care. Opinion 8.115 - "Termination of the Physician-Patient Relationship," specifically states that the physician must give sufficient notice of withdrawal to the patient, relatives or responsible guardians to allow another physician to be secured.

The Alabama Board of Medical Examiners believes this is done by giving the patient written notice, preferably by certified mail, return receipt requested. The patient should also be provided a brief explanation for terminating the relationship. This should be a valid reason. An example would be noncompliance or failure to keep appointments. The physician must also agree to provide treatment and access to services for a reasonable period of time (30 days is considered a reasonable period by the ABME), which will allow the patient to secure the care from another physician. Ethical standards require that the physician transfer the medical records to a newly designated physician upon a signed patient authorization to do so.

In the past I have advised physicians, who have had complaints filed against them by patients who continue to make appointments, that they are under no obligation to continue the physician/patient relationship. In situations such as this, where the relationship has broken down, should the doctor desire, it is necessary for the physician to send notice of



Larry Dixon

see Terminating a relationship, page 2

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Dixon receives lifetime achievement award

At the annual meeting of the Federation of State Medical Boards (FSMB) in April, Larry Dixon, executive director of the Alabama Board of Medical Examiners was presented with their Lifetime Achievement Award. Dixon has distinguished himself as both an administrator and a public servant for the advancement of medicine and the



medical regulatory process for more than four decades.

He joined the Alabama Board of Medical Examiners as the board's executive director in 1981 and subsequently has led numerous initiatives to enhance the board's licensing and disciplinary processes and improve patient safety and welfare in the state.

His leadership abilities and experience have also been invaluable to the national medical regulatory community. He served four terms on the FSMB Board of Directors and he has been active in Administrators in Medicine since its inception 25 years ago, serving as the organization's first president from 1984 to 1986. He is a Charter Member of the FSMB Certified State Medical Board Executive program and he is currently a member of the FSMB Foundation Board of Directors.

During most of his tenure with the medical board, Mr. Dixon simultaneously served his state as a member and leader in the Alabama Legislature. After serving a term in the state's House of Representatives, he was elected to the Alabama State Senate, where he served for nearly 28 years before stepping down in 2011.

Terminating a relationship, cont.

termination to the patient. However, it is important that the letter be done in the manner described above, giving adequate time for the patient to make other arrangements for treatment. I have also recognized that sometimes a physician does not realize that a patient has developed a personal interest in them. Certain actions should trigger a warning flag, such as excessive contact, calling after hours, etc., demanding the physician's time without a legitimate or urgent medical need, and becoming angry or unreasonable when the physician is unavailable. Other examples can be more straightforward and verbal.

The Alabama Board of Medical Examiners recognizes that, unless handled properly, this very sensitive issue has potential to create serious problems. It is highly recommended by the Board that all physicians follow the AMA opinion when terminating a physician/patient relationship.

Any questions regarding this situation can be answered by contacting the Alabama Board's legal staff or me.

Your Medical License

As a physician, your license to practice medicine in the State of Alabama is one of your most important assets. It allows you to apply what you learned during years of school and post-graduate training to earn a livelihood to support your family. Exercise care to protect this asset.

Report of Public Actions of the Medical Licensure Commission and Board of Medical Examiners

MLC – April 2014

◆ On April 1, the Commission issued an Order reinstating in full the license to practice medicine in Alabama of **Jason M. Hunt, MD**, lic. no. MD.29076, Murray, KY.

◆ On April 1, the Commission issued an Order removing the probationary status of the license to practice medicine in Alabama of **George R. Storey, MD**, lic. no. MD.15022, Talladega, AL.

◆ On April 17, the Commission entered an Order suspending the license to practice medicine in Alabama of **Amjad I. Butt, MD**, lic. no. MD.29003, Selma, AL, for nonpayment of an installment on an administrative fine.

◆ On April 17, the Commission entered a Consent Order placing on probation the license to practice medicine in Alabama of **Karen Paul Holley, MD**, lic. no. MD.23807, Metairie, LA.

◆ On April 21, the Commission entered an Order reinstating the license to practice medicine in Alabama of **Amjad I. Butt, MD**, lic. no. MD.29003, Selma, AL, upon payment of the installment due on an administrative fine.

◆ On April 28, the Commission issued an Order reversing the Board's previous decision to deny the application for a certificate of qualification of **Shawn Daniel Trask, MD**, Montgomery, AL, and directing that a full, unrestricted certificate of qualification and license be issued.

BME – April 2014

◆ On April 16, the Board denied the application for a certificate of qualification to practice medicine in Alabama of **Sushil Kumar Sompur Vasanthkumar, MD**, Mysore, India.

MLC – May 2014

◆ On May 7, the Commission entered an Order reinstating to full, unrestricted

status the license to practice medicine in Alabama of **Virgil E. McGrady, DO**, lic. no. DO.204, Trussville, AL.

◆ On May 28, the Commission entered an Order summarily suspending the license to practice medicine in Alabama of **John P. Hagler Jr., MD**, lic. no. MD.6566, Montgomery, AL, until such time as the Administrative Complaint filed by the Board shall be heard and a decision rendered thereon.

BME – May 2014

◆ On May 22, the Board accepted the voluntary surrender by **Edward I. Lammons, MD**, lic. no. MD.5532, Phenix City, AL, of his authority to order, manufacture, distribute, possess, dispense, administer or prescribe Schedule II, IIN, III and IIIN controlled substances.

◆ On May 22, the Board accepted the voluntary surrender of certificate of qualification and license to practice medicine in Alabama of **Scott William Naley, MD**, lic. no. MD.11831, Birmingham, AL.

◆ On May 22, the Board accepted the voluntary surrender of certificate of qualification and license to practice medicine in Alabama of **Joseph N. M. Ndolo, MD**, lic. no. MD.21199, Fairhope, AL.

BME – June 2014

◆ On June 18, the Board accepted the voluntary surrender of the Alabama Controlled Substances Certificate of **Mark P. Koch, DO**, lic. no. DO.322, Monroeville, AL.

Actions concerning non-compliance with CME requirements

- ◆ **David P. Adkison, MD**, lic. no. MD.12181, Birmingham, AL
- ◆ **Guy E. Blaudeau, MD**, lic. no. MD.7503, Hoover, AL

- ◆ **Gordon T. Connor, MD**, lic. no. MD.10818, Birmingham, AL
- ◆ **Michael R. Crain, MD**, lic. no. MD.10913, Birmingham, AL
- ◆ **Tamatra L. Crook, MD**, lic. no. MD.27057, Mobile, AL
- ◆ **Joseph R. Cuccia, MD**, lic. no. MD.28206, Sheffield, AL
- ◆ **Jian H. Fong, MD**, lic. no. MD.27530, Hoover, AL
- ◆ **Richard E. Gilliland, MD**, lic. no. MD.12109, Bessemer, AL
- ◆ **Skye Fost Gratton, PA**, lic. no. PA.641, Birmingham, AL
- ◆ **Melissa C. Gray, MD**, lic. no. MD.31519, Athens, AL
- ◆ **William B. Harris, MD**, lic. no. MD.9132, Bay Minette, AL
- ◆ **Claire B. Hinton, PA**, lic. no. PA.664, Mobile, AL
- ◆ **Steven C. Hudson, MD**, lic. no. MD.27431, Huntsville, AL
- ◆ **Carole Lane, MD**, lic. no. MD.11195, Birmingham, AL
- ◆ **Jeffrey A. Johnson, DO**, lic. no. DO.701, Decatur, AL
- ◆ **Mario Magnone, MD**, lic. no. MD.25184, Fairhope, AL
- ◆ **Sanjay Malhotra, MD**, lic. no. MD.29375, Huntsville, AL
- ◆ **Timothy Marlow, MD**, lic. no. MD.12300, Selma, AL
- ◆ **Allan C. Muller II, DO**, lic. no. DO.590, Montgomery, AL
- ◆ **Rick A. Otwell, PA**, lic. no. PA.216, Gadsden, AL
- ◆ **John A. Porter, MD**, lic. no. MD.9516, Montgomery, AL
- ◆ **Jon Emory Sanford, MD**, lic. no. MD.3835, Fayette, AL
- ◆ **Edward D. Simms, III, MD**, lic. no. MD.29521, Mobile, AL
- ◆ **Philip Preston Stewart, DO**, lic. no. DO.1284, Huntsville, AL
- ◆ **Octavian C. Tomescu, MD**, lic. no. MD.18505, Hamilton, AL
- ◆ **Jarrold K. Warren, MD**, lic. no. MD.28357, Gadsden, AL
- ◆ **Kara N. S. Witsiepe, PA**, lic. no. PA.547, Mobile, AL

CREDIT

CREDIT FOR MEDICAL ETHICS AND PRESCRIBING OF CONTROLLED DRUGS

- The Medical Foundation of Alabama designates this live activity for a maximum of 18.75* *AMA PRA Category 1 Credits™*. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

This activity has been planned and implemented in accordance with the accreditation requirements and policies of the Accreditation Council for Continuing Medical Education (ACCME) through the joint providership of the Medical Foundation of Alabama and the Medical Association of the State of Alabama. The Medical Foundation of Alabama is accredited by the Medical Association of the State of Alabama to provide continuing medical education for physicians.

*Total credits for all three days

CREDIT FOR EXTENDED-RELEASE AND LONG-ACTING OPIOID ANALGESICS REMS

- The University of Nebraska Medical Center, Center for Continuing Education designates this live activity for a maximum of 3 *AMA PRA Category 1 Credits™*. Physicians should claim only the credit commensurate with the extent of their participation in the activities.

The University of Nebraska Medical Center, the Center for Continuing Education is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians.

This activity has been planned and implemented in accordance with the accreditation requirements and policies of the Accreditation Council for Continuing Medical Education (ACCME) through the joint providership of The University of Nebraska Medical Center, Center for Continuing Education, the Federation of State Medical Boards, the FSMB Foundation and The France Foundation.

- Nurses who are certified by the American Nurses Credentialing Center (ANCC) may utilize activities that are certified by ACCME-accredited providers toward their requirement for certification renewal by the ANCC. A certificate of attendance will be provided by the accredited provider.

REGISTRATION

All registration fees must be paid at the time of registration. Attendees will not be allowed to pay or register at the door. **PARTICIPANTS MUST MAKE OWN HOTEL RESERVATIONS.**

Cancellation/Refund Policy: No telephone cancellations. Written notification must be received. A 50% refund will be given if cancellation is received two weeks prior to the date of the conference. Please mail written notice to 19 S. Jackson Street, Montgomery, AL 36104; fax to (334) 269-5200, or e-mail to sfuqua@masalink.org.

EACH ATTENDEE MUST COMPLETE A SEPARATE REGISTRATION FORM.

Name: _____

MD DO PA CRNP CNM Other _____

Practice: _____

Company: _____

Nursing License Number (if applicable): _____

Address: _____

City, State, Zip: _____

Phone: _____ Fax: _____

E-mail: _____

Dietary Restrictions/Special Considerations: _____

Choose Your Course

PHYSICIAN REGISTRATION	FEES	NON-PHYSICIAN REGISTRATION	FEES
<input type="checkbox"/> Medical Ethics, Prescribing and ER/LA Opioid Analgesics REMS	\$350	<input type="checkbox"/> Medical Ethics, Prescribing and ER/LA Opioid Analgesics REMS	\$300
Friday, Saturday, Sunday Nov. 21, 22, 23		Friday, Saturday, Sunday Nov. 21, 22, 23	
<input type="checkbox"/> Medical Ethics.....	\$200	<input type="checkbox"/> Medical Ethics.....	\$200
Friday Nov. 21		Friday Nov. 21	
<input type="checkbox"/> Prescribing of Controlled Drugs and ER/LA Opioid Analgesics REMS	\$250	<input type="checkbox"/> Prescribing of Controlled Drugs and ER/LA Opioid Analgesics REMS	\$200
Saturday Nov. 22 (12-hour Course)		Saturday Nov. 22 (12-hour Course)	
<input type="checkbox"/> Prescribing of Controlled Drugs.....	\$250	<input type="checkbox"/> Prescribing of Controlled Drugs.....	\$200
Saturday Nov. 22 (8-hour Course)		Saturday Nov. 22 (8-hour Course)	
<input type="checkbox"/> ER/LA Opioid Analgesics REMS	\$0	<input type="checkbox"/> ER/LA Opioid Analgesics REMS	\$0
Sunday Nov. 23 (4-hour Course)		Sunday Nov. 23 (4-hour Course)	

Choose Your Payment

Note: Your signature constitutes an agreement to pay the amount indicated.

Check (Payable to Medical Foundation of Alabama) Amount: \$ _____

American Express Discover MasterCard VISA Amount: \$ _____

Cardholder Name: _____

Card Number: _____

Street Address: _____

City, State, Zip: _____

Exp. Date: _____ Security Code: _____

Signature: _____

Return completed registration form and payment to:
 Medical Foundation of Alabama | Attention Education Dept | PO Box 1900
 Montgomery, AL 36102-1900 | Phone (334) 954-2500 | Fax (334) 269-5200

ACCOMMODATIONS

The Hyatt Regency Birmingham-The Wynfrey Hotel in Birmingham, Ala. Block of rooms at **\$132/night**.

Room block closes **November 3**. Call **(800) 233-1234** and reference the **Medical Association of the State of Alabama**.

Participants are responsible for making their own hotel reservations.

ABOUT THE COURSES

The Medical Association of the State of Alabama, the Alabama Board of Medical Examiners and the Alabama Board of Nursing are pleased to offer a three-day weekend of continuing medical education that includes Medical Ethics, Prescribing of Controlled Drugs and Extended-Release and Long-Acting Opioid Analgesics REMS (Risk Evaluation and Mitigation Strategies). **Those who attend all three courses pay a significantly reduced registration fee and are eligible for a total of 18.75 AMA PRA Category 1 Credits™.** Though designed for physicians, all healthcare professionals are urged to attend.

MEDICAL ETHICS

Friday, November 21, 2014

The doctor-patient relationship is a specially privileged one in our society. As a result, physicians are afforded access to patients' information and confidences that are not available to anyone else. Along with this privilege comes a series of professional responsibilities and important ethical precepts: confidentiality, beneficence, respect for patient autonomy, truth telling and the highest degree of professionalism.

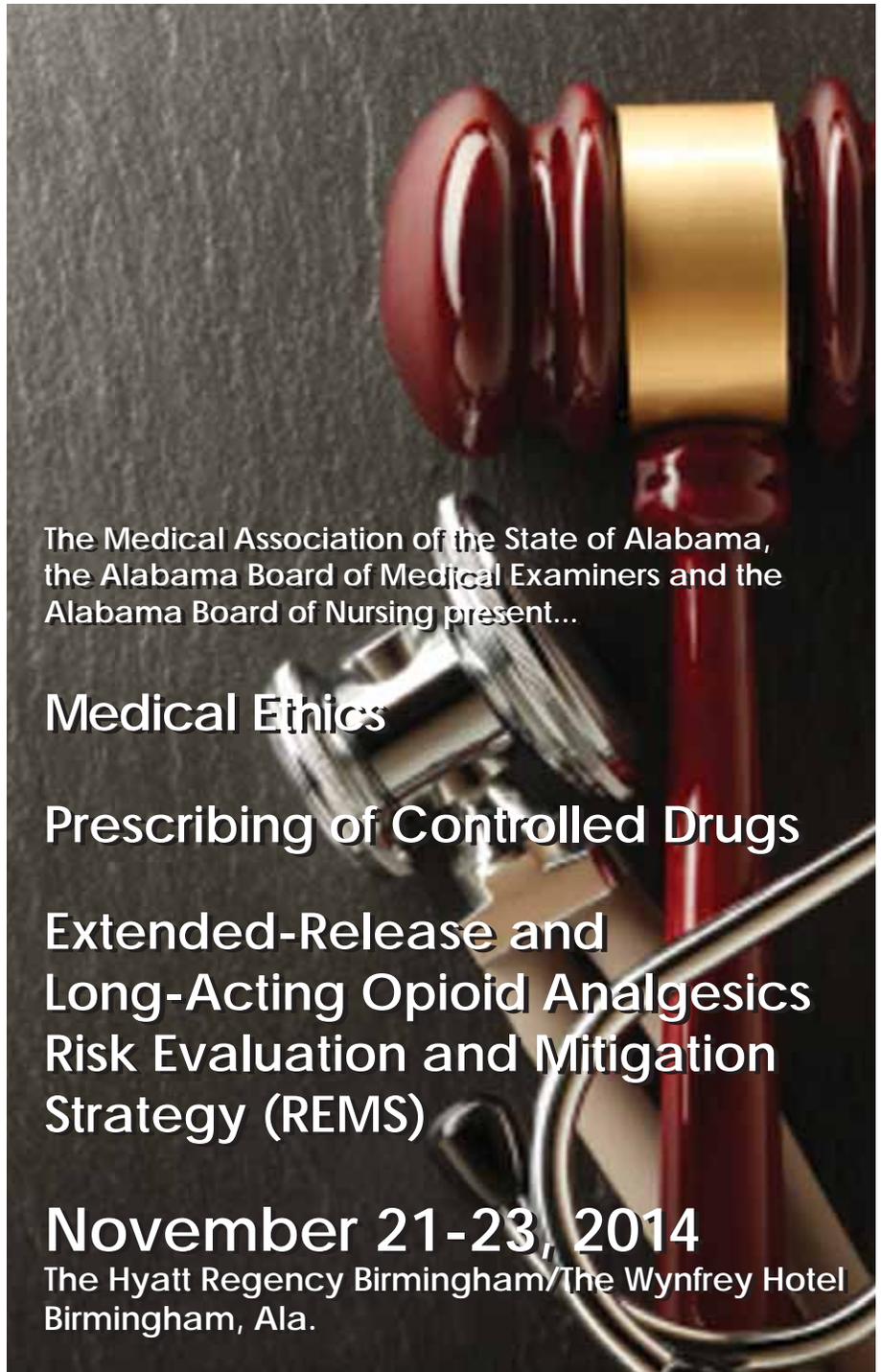
While physicians work within the guidelines of these principles, they can also be challenged by the principles, particularly when two or more are in conflict. This expertly-taught, intensive course, designed for physicians in all specialties, focuses on applied ethics, including boundary issues.

PRESCRIBING OF CONTROLLED DRUGS

Saturday, November 22, 2014

Controlled substances are prescribed and dispensed today at an increasing rate to help patients cope with pain, insomnia, anxiety, depression, obesity and a myriad of other disorders. Studies show practitioners are rather conservative when prescribing controlled drugs, while a small number are at times overly aggressive. In addition, controlled prescription medications are falling into the hands of increasing numbers of prescription drug abusers.

This course was designed to enhance the physician's ability to effectively prescribe controlled medications, while minimizing misuse and abuse.



The Medical Association of the State of Alabama, the Alabama Board of Medical Examiners and the Alabama Board of Nursing present...

Medical Ethics

Prescribing of Controlled Drugs

Extended-Release and Long-Acting Opioid Analgesics Risk Evaluation and Mitigation Strategy (REMS)

November 21-23, 2014

The Hyatt Regency Birmingham/The Wynfrey Hotel Birmingham, Ala.

EXTENDED-RELEASE AND LONG-ACTING OPIOID ANALGESICS RISK EVALUATION AND MITIGATION STRATEGY (REMS)

Sunday, November 23, 2014

REMS is an intensive risk management course for physicians who wish or need to increase their knowledge and ability to reduce serious adverse outcomes resulting from inappropriate prescribing, misuse and abuse of ER/LA opioid analgesics while maintaining patient access to pain medications. Content is derived from the FDA-mandated Blueprint and is intended for health care professionals who prescribe or wish to become certified to prescribe ER/LA opioids.

This activity is supported by an educational grant from The REMS Companies.



Alabama BME Newsletter and Report

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Look inside for important news
from the Board of Medical Examiners
that pertains to your license to practice
medicine in Alabama.



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Receive alerts for new public actions,
agendas, newsletters and rules.

Change of Address

Alabama law requires that every
licensed physician notify the Board
of Medical Examiners in writing
within 15 days of a change of the
physician's practice location
address and/or mailing address.

All current licensees receive the Board of Medical Examiners *Newsletter and Report* at their address of record at no charge. Licensees may also choose to receive the newsletter by e-mail. Non-licensee subscriptions to the newsletter are by e-mail only. If you would like to receive the newsletter by e-mail, please send a request to albmenews@yahoo.com.