

April 2019 Public Board Actions List

Georgia Composite Medical Board
Attn: **Ms. Latisha Bias**, Public Records Unit
2 Peachtree Street, N.W., 6th Floor
Atlanta, Georgia 30303-3465
PH: (404) 657-3194
FX: (404) 463-2539
Email: latisha.bias@dch.ga.gov

The Board issued **four** public orders in **April 2019**. To view each Board order, click on the licensee's name below.

1. Tommy Charles Beeson, M.D.

31700
Physician
Voluntary Surrender

2. Michael Nelson Brady, M.D.

33534
Physician
Order Lifting Suspension

3. Van L. Malia, M.D.

70274
Physician
Public Consent Order

4. Robert Earl Windsor, M.D.

31857
Physician
Consent Agreement For Reinstatement

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF:

TOMMY CHARLES BEESON, M.D.
License No. 031700,
Respondent.

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**GEORGIA COMPOSITE
MEDICAL BOARD**

APR 17 2019

**DOCKET NUMBER:
2019 0088**

VOLUNTARY SURRENDER

I, TOMMY CHARLES BEESON, M.D., holder of License No. 031700 to practice medicine in the State of Georgia pursuant to O.C.G.A. Ch. 34, T. 43, as amended, hereby freely, knowingly and voluntarily surrender said license to the Georgia Composite Medical Board (hereinafter "Board"). I hereby acknowledge that this surrender shall have the same effect as a revocation of my license, and I knowingly forfeit and relinquish all right, title and privilege of practicing medicine in the State of Georgia, unless and until such time as my license may be reinstated, in the sole discretion of the Board.

I understand that I have a right to a hearing in this matter, and I hereby freely, knowingly and voluntarily waive such right to a hearing. I also understand that should any request for reinstatement be entertained by the Board, the Board shall have access to any investigative file in this matter. I understand that I cannot apply for reinstatement for two years from the date of the surrender of my license under the rules of the Board. I further understand that upon applying for reinstatement, it shall be incumbent upon me to demonstrate to the satisfaction of the Board that I am able to practice medicine with reasonable skill and safety to patients, and that if the Board is not satisfied, the Board shall not reinstate my license.

This surrender shall become effective upon acceptance and docketing by the Board. I understand that this document will be considered to be a public record and that this action shall be considered to be an may be disseminated as a final order of the Board.

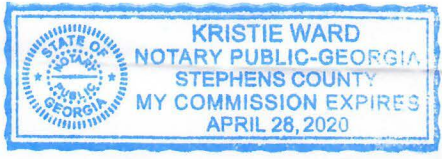
[SIGNATURES ON FOLLOWING PAGE]

[As to Respondent's Signature:]

Sworn to and subscribed
this 11th day of April, 2019.

Tommy Charles Beeson M.D.
TOMMY CHARLES BEESON, M.D.
Respondent

Kristie Ward
NOTARY PUBLIC
My commission expires:



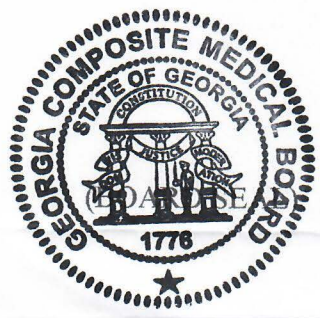
ACCEPTANCE OF SURRENDER

The voluntary surrender of License No. 0031700 is hereby accepted by the Georgia
Composite Medical Board, this 17 day of April, 2019.

GEORGIA COMPOSITE MEDICAL BOARD

BY: J. Jeffrey Marshall M.D.
J. JEFFREY MARSHALL M.D.
Chairperson

ATTEST: L. Shawn Hughes
LASHAWN HUGHES
Executive Director



APR 03 2019

DOCKET NUMBER:
10190080

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

GEORGIA COMPOSITE MEDICAL BOARD,)	
)	
Petitioner,)	BOARD DOCKET NO: 20180050
)	
v.)	
)	
MICHAEL NELSON BRADY, M.D.,)	
License No. 33534,)	
Respondent.)	

ORDER LIFTING SUSPENSION

WHEREAS, on or about August 17, 2017, in the Superior Court of Houston County, State of Georgia, in *State of Georgia v. Michael Nelson Brady*, Criminal Action #2017C51899, Respondent pled guilty to one count of Unlawful Delivery of Controlled Substance and two counts of Obtaining a Controlled Substance by Misrepresentation, based on the unlawful pickup and delivery of a controlled substance, which had been prescribed to someone else. Respondent was sentenced under the First Offender Act, O.C.G.A. §42-8-60, to 5 years of probation on each count, to run concurrent, with terms and special conditions, and fined \$5,000.00.

WHEREAS, on June 7, 2018, the Georgia Composite Medical Board (“Board”) entered into a Public Consent Order with MICHAEL NELSON BRADY, M.D. (“Respondent”) pursuant to the provisions of O.C.G.A. § 50-13-13 (a) (4), *as amended*, in which Respondent’s license to practice medicine in the State of Georgia was SUSPENDED for a period of six (6) months in accordance with O.C.G.A. §16-13-111 (Georgia Composite Board Medical Board Docket Number 20180050 (herein “June 2018 Order”)).

WHEREAS, in January 2019, Respondent sent a letter to the Board requesting that the suspension be lifted.

WHEREAS, having considered Respondent's request and all the facts and circumstances of this case, the Board hereby ORDERS that the SUSPENSION placed on Respondent's license to practice as a physician in the State of Georgia be LIFTED and Respondent's license shall still be subject to the terms and conditions imposed upon Respondent's license in the June 2018 Order:

1.

Beginning on the effective date of this Order, Respondent's license shall be placed on PROBATION for a period of five (5) years, subject to the following terms and conditions:

- (a) MINI-RESIDENCY IN PRESCRIBING PROGRAM. Within ninety (90) days of the effective date of the Order, Respondent shall successfully complete the Mini-Residency entitled "Appropriate Prescribing of Controlled Substances" sponsored by The Mercer University Southern School of Pharmacy in Atlanta. Upon successful completion of the Mini-Residency program, the Respondent shall submit documentation thereof to the Board. This requirement shall be in addition to the continuing education requirements set forth in O.C.G.A § 43-34-3. Respondent shall submit proof that Respondent has completed this course to the attention of the Executive Director, Georgia Composite Medical Board, 2 Peachtree Street, N.W., 6th Floor, Atlanta, Georgia 30303. Failure to submit proof of completion shall be considered a violation of this Order and shall result in further sanctioning of Respondent's license, including revocation, upon substantiation thereof.
- (b) DEA UTILIZATION. Respondent's license shall be restricted in that Respondent shall not possess a DEA permit. Under the June 2018 Order, Respondent relinquished his right to prescribe, administer, dispense, order or possess (except as prescribed, administered, or

dispensed to Respondent by another person authorized by law to do so) controlled substances as defined by the Federal or Georgia Controlled Substances Act. Respondent agreed that he shall not seek reinstatement of his DEA permit unless he obtains the express, written permission of the Board. Respondent shall not be eligible to petition the Board for lifting of this restriction until one (1) year from the effective date of the June 2018 Order. The lifting or modifying of this restriction is within the sole discretion of the Board. This restriction shall remain in effect until Respondent receives written notification from the Board that this restriction has been lifted or otherwise modified.

(c) VOLUNTEER MEDICAL SERVICES AND QUARTERLY REPORTS. Beginning on effective date of this Order and over the course of 9 months, Respondent shall provide 250 hours of free medical services at the Volunteer Medical Clinic of Houston County, 125 Russell Parkway, Warner Robins, Georgia 31088. Respondent's medical services at this location shall be supervised by Virgle W. McEver, III, M.D. ("supervising physician"). Prior to providing any medical services, Respondent shall provide a docketed copy of this Order to the supervising physician who shall, within 10 days, submit a letter to the Board acknowledging receipt of the entire Order and agreeing to serve as supervising physician.

(d) QUARTERLY REPORTS. Respondent shall submit or cause to be submitted quarterly reports from his supervising physician regarding Respondent's practice as a physician by June 30, September 30, and December 31, March 31, during the period of time that Respondent is providing volunteer medical services. Failure to submit or have such reports submitted in a timely manner shall be considered a violation of this Order. It is expected that said supervising physician shall immediately report to the Board any

concerns regarding Respondent's practice of medicine. By executing the June 7, 2018 Consent Order, Respondent specifically consented to have such supervising physician to report upon Respondent's practice as a physician, notwithstanding any privileges provided by state or federal law. Respondent shall provide to the Board any release or other documentation which may be necessary for the Board to obtain such information.

(e) USE OF PHYSICIAN ASSISTANT OR NURSE PRACTITIONER. If Respondent employs a physician assistant and/or nurse practitioner in his practice, Respondent shall not utilize the physician assistant and/or nurse practitioner to perform tasks which are otherwise prohibited by the terms of this Order or the June 2018 Order, or otherwise utilize the services of the physician assistant and/or nurse practitioner in such a way as to circumvent any restriction, term or condition outlined herein. Respondent shall to disclose this Order to any physician assistant or nurse practitioner that Respondent employs or associates with, and Respondent shall have that individual sign a statement to be submitted to the Board as evidence of having read and understood this Order. The signed statement shall be submitted to the Board by Respondent prior to Respondent associating with or employing the individual(s).

(f) PERIODS OF RESIDENCY OUTSIDE OF GEORGIA. In the event Respondent should leave Georgia to reside or practice outside of Georgia for periods longer than thirty (30) consecutive days, Respondent shall notify the Board in writing of the dates of departure and return within thirty (30) days of such departure and return. Periods of residency or practice outside of Georgia as well as periods when Respondent is not actively engaged in practicing medicine shall not apply to the reduction of Respondent's probationary period, except as authorized by the Board. Respondent shall advise the Board of any

change in personal address, employment address, and employment status within thirty (30) days of such change. Service at the last address of record with the Board shall be deemed adequate service for any future notices.

(g) ABIDE BY ALL LAWS, RULES, AND TERMS. Respondent shall abide by all state and federal laws regulating the practice of medicine, the Rules and Regulations of the Board, and the terms and conditions of this Order and the June 2018 Order. If Respondent shall fail to abide by such laws, rules, terms or conditions of this Order or the June 2018 Order, or if it should appearing from reports, inspections or other information submitted to the Board that Respondent is otherwise unable to practice medicine with reasonable skill and safety to patients, Respondent's license shall be subject to further discipline, including revocation, upon substantiation thereof after notice and hearing; and if revoked, the Board in its discretion may determine that the license should be permanently revoked and not subject to reinstatement.

(h) TERMINATION OF PROBATION. Respondent shall not be eligible to petition for termination of probation until five (5) years from the date his license is placed on probation or until he has been released from his term of criminal probation. At such time, Respondent may petition for termination by certifying under oath before a notary public that Respondent has complied with all the terms and conditions of probation and by providing documentation supporting discharge from probation. The Board shall review and evaluate the practice of the Respondent prior to lifting the probation. At such time, the Board shall be authorized to restore all rights and privileges incident to the Respondent's license, unless the Board has received information that the Respondent has not complied with the terms of this Order, the June 2018 Order, or has otherwise failed to

comply with the laws and rules regulating the practice of medicine. Should the Board determine that reasonable cause exists for maintaining Respondent's license on a probationary status, the Board shall notify Respondent of its intent to extend the probationary status, and Respondent may respond to such notification in writing or request an appearance before the Board or its representative as in a non-contested case. In any event, this Order shall remain in effect pending a final determination by the Board and notification that the probationary period has terminated.

2.

This Order and dissemination thereof shall be considered a public reprimand of Respondent by the Board.

IT IS SO ORDERED this 3rd day of April, 2019.

GEORGIA COMPOSITE MEDICAL BOARD

By:


J. JEFFREY MARSHALL, M.D.
Chairperson

Attest:


LASHARN HUGHES
Executive Director



BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD
STATE OF GEORGIA

IN THE MATTER OF:

VAN L. MALIA, M.D.
License Number 70274,

Respondent.

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DOCKET NO. #: APR 11 2019

GEORGIA COMPOSITE
MEDICAL BOARD

DOCKET NUMBER:
20190082

PUBLIC CONSENT ORDER

By agreement of the Georgia Composite Medical Board ("Board") and Van L. Malia, M.D. ("Respondent"), the following disposition of this disciplinary matter is entered pursuant to the provisions of the Georgia Administrative Procedure Act, O.C.G.A § 50-13-13(a)(4), as amended.

FINDING OF FACT

1.

Respondent is licensed to practice medicine in the State of Georgia and was licensed at all times relevant to the matters stated herein. His license expires on June 30, 2019.

2.

In approximately March of 2018, Respondent entered into an employment contract in which he indicated he was board certified, when in fact he was not board certified.

3.

Thereafter, Respondent submitted forged a letter from the American Osteopathic College of Physical Medicine & Rehabilitation ("AOCPRM") in which it was represented that Respondent was board certified by this entity, which does not certify physicians.

4.

Respondent's actions constitute unprofessional, unethical, deceptive or deleterious conduct that depart from and fail to conform to the minimum standards of acceptable and prevailing medical practice, and are in violation of Georgia's laws and the Board's rules.

5.

Respondent admits the above findings of fact and hereby waives any further findings of fact with respect to the above-styled matter.

CONCLUSIONS OF LAW

Respondent's conduct constitutes sufficient grounds for the imposition of discipline upon Respondent's license to practice as a physician in the State of Georgia under O.C.G.A. Title 43, Chapters 1 and 34, as amended. Respondent hereby waives any further conclusions of law with respect to the above-styled matter.

ORDER

The Board, having considered all the facts and circumstances of this case, hereby orders, and Respondent hereby agrees, to the following terms:

1.

Respondent shall obtain ten (10) hours of continuing medical education ("CME") in the area of Ethics, and an additional ten (10) hours of CME in the area of Professional Boundaries. These hours are in addition to the CME required of all Georgia physicians. for license renewal. Respondent shall complete said additional twenty (20) hours of CME within six months from the docketing of this order, and within the that time frame, submit proof of the completion of said additional twenty (20) hours of CME to the Board.

2.

Respondent shall submit to the Board a fine in the amount of five hundred dollars (\$500.00) to be paid within one year from the docketing of this order, by cashier's check or money order made payable to the Board. Failure to pay the fine as provided herein shall be considered a violation of this Order, and may result in further sanctioning of Respondent's license, including revocation, upon substantiation thereof.

3.

This Consent Order shall constitute a PUBLIC REPRIMAND of Respondent and may be disseminated by the Board as a public disciplinary action.

4.

Respondent also understands that pursuant to O.C.G.A. Title 43, Chapter 34A, the contents of this order shall be placed on Respondent's Physician Profile. Furthermore, by executing this Consent Order, Respondent hereby agrees to permit the Board to update the Physician's Profile reflecting this Consent Order.

5.

Respondent acknowledges that he has read and understands the contents of this Consent Order. Respondent understands that he has the right to a hearing in this matter, and Respondent freely, knowingly and voluntarily waives such right by entering into this Consent Order. Respondent understands that this Consent Order will not become effective until approved and docketed by the Georgia Composite Medical Board. Respondent further understands and agrees that a representative of the State Department of Law may be present during the presentation of this Consent Order and that the Board shall have the authority to review the investigative file and all relevant evidence in considering this Consent Order. Respondent further understands that this

Consent Order, once approved, shall constitute a public record that may be disseminated as a disciplinary action of the Board. If this Consent Order is not approved, it shall not constitute an admission against interest in this proceeding, or prejudice the ability of the Board to adjudicate this matter. Respondent consents to the terms and sanctions contained herein.

Approved this 11th day of Apr. 1, 2019.

GEORGIA COMPOSITE MEDICAL BOARD



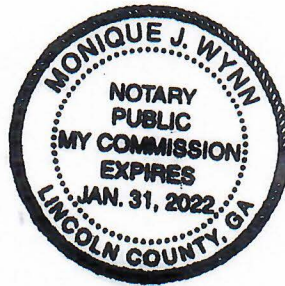
BY: [Signature]
JOHN JEFFREY MARSHALL, M.D.
Chairperson

ATTEST: [Signature]
LASHARN HUGHES, MBA
Executive Director

CONSENTED TO: [Signature]
VAN L. MALIA, M.D.
Respondent

AS TO VAN L. MALIA, M.D.
Sworn to and subscribed before
me this, 25th day of March, 2019.

[Signature]
NOTARY PUBLIC
My Commission Expires:



084558

**BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD
STATE OF GEORGIA**

IN THE MATTER OF:)
)
ROBERT EARL WINDSOR, M.D.,)
Previous License No. 31857,)
Applicant.)

**GEORGIA COMPOSITE
MEDICAL BOARD**
APR 12 2019
DOCKET NUMBER:
20190083

CONSENT AGREEMENT FOR REINSTATEMENT

By agreement of the Georgia Composite Medical Board (“Board”) and ROBERT EARL WINDSOR, M.D. (“Applicant”), the following disposition of this matter is entered pursuant to O.C.G.A. T. 43, Chs. 1 and 34.

FINDINGS OF FACT

1.

Applicant was previously licensed to practice medicine in the State of Georgia. On or about February 2, 2017, Applicant surrendered his license.

2.

On or about June 9, 2016, Applicant entered into an Interim Public Consent Order with the Board, based on the Applicant’s indictment and plea of guilty in the Northern District of Georgia, Case Nos. 1:16-CR-0068AT and 1:16-CR-0082AT to two counts of Health Care Fraud under 18 U.S.C. 1347 involving the submission of false billing charges for surgical monitoring performed by a surgical assistant. Applicant’s license was suspended, pending final disposition of the criminal charges.

3.

On or about October 25, 2016, Applicant was sentenced in the Northern District of Georgia, Case Nos. 1:16-CR-0068AT and 1:16-CR-0082AT on two counts of Health Care Fraud

under 18 U.S.C. 1347 and was sentenced to incarceration for two terms of 38 months to run concurrently, followed by supervised release of three years, including a provision that Applicant provide 200 hours of community service, specifically utilizing Applicant's medical background as a doctor. Applicant was released early from custody on December 21, 2018. The federal district judge in the case affirmatively supports Applicant's return to the practice of medicine.

5.

On or about September 20, 2018, Applicant submitted an application for reinstatement with the Board.

6.

Applicant waives any further findings of fact with respect to this matter.

CONCLUSIONS OF LAW

Reinstatement of Applicant's license to practice medicine in Georgia under O.C.G.A. Ch. 34, T. 43, as amended, is within the sole discretion of the Board. The Applicant hereby waives any further conclusions of law with respect to the above-styled matter.

ORDER

Beginning on the effective date of this Consent Agreement, Applicant's license to practice medicine in the State of Georgia shall be reinstated under the following terms:

1.

Applicant shall abide by all State and Federal laws regulating the practice of medicine, the Rules and Regulations of the Board, and the terms of the supervisory release ordered in Case Nos. 1:16-CR-0068AT and 1:16-CR-0082AT. If the Applicant shall fail to abide by any of the terms of this Consent Agreement, his term of supervised release, or should Applicant otherwise

violate the criminal laws of the State of Georgia or the United States, Applicant's license shall be subject to discipline, including revocation, upon substantiation thereof after notice and hearing, and if revoked, the Board in its discretion may determine that the license should be permanently revoked and not subject to reinstatement.

2.

In addition to any other sanction contained herein, this Consent Agreement shall constitute a PUBLIC REPRIMAND by the Board.

3.

Applicant acknowledges that Applicant has read this Consent Agreement and that he understands its contents. Applicant has appeared before the Board in this matter, and Applicant freely, knowingly and voluntarily enters into this Consent Agreement. Applicant further understands and agrees that a representative of the Department of Law may be present during the presentation of this Consent Agreement and that the Board shall have the authority to review the application file and all relevant evidence in considering this Consent Agreement. Applicant understands that this Consent Agreement will not become effective until accepted and docketed by the Georgia Composite Medical Board. Applicant consents to the terms contained herein. Respondent further understands and agrees that the Board shall have the authority to review the investigative file and all relevant evidence in considering this Consent Order. Respondent further understands that this Consent Order, once approved, shall constitute a public record that may be disseminated as a disciplinary action of the Board. If this Consent Order is not approved, it shall not constitute an admission against interest in this proceeding, or prejudice the ability of the Board to adjudicate this matter. Respondent consents to the terms and sanctions contained herein.

(signatures on following page)

Approved this 11th day of March, 2019.

GEORGIA COMPOSITE MEDICAL BOARD



BY:

[Signature]
J. JEFFREY MARSHALL, M.D.
Chairperson

ATTEST:

[Signature]
LASHARN HUGHES
Executive Director

CONSENTED TO:

[Signature]
ROBERT EARL WINDSOR, M.D.
Applicant

[As to Applicant's signature:]
Sworn to and subscribed before me
This 9 day of APRIL, 2019.

[Signature]
NOTARY PUBLIC

My Commission Expires: FEB 10, 2023

