

August 2016 Public Board Actions List

Georgia Composite Medical Board
Attn: **Mr. Reginald Hawthorne**, Public Records Unit
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The Board issued **four** public orders in August 2016. To view each Board order, click on the licensee's name below.

1. **Andrew Ben-Hua Chung, M.D.**

#040347
Physician
Final Decision

2. **Nolan Lassiter, M.D.**

#010220
Physician
Public Board Order Terminating Probation

3. **Carl Axel Lindblad, M.D.**

#022163
Physician
Public Consent Order

4. **Ioni Dipti Sisodia, M.D.**

#062774
Physician
Public Consent Order

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF:

ANDREW BEN-HUA CHUNG, M.D.
License No. 040347,

Respondent.

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**GEORGIA COMPOSITE
MEDICAL BOARD**

AUG 04 2016

**DOCKET NUMBER:
1016 0039**

FINAL DECISION

The above-styled matter came before the Georgia Composite Medical Board on August 4, 2016, for a hearing under the authority and jurisdiction conferred upon the Georgia Composite Medical Board by O.C.G.A. T. 43, Ch. 34, and in accordance with the Georgia Administrative Procedure Act, O.C.G.A. Ch. 13, T. 50, and the Rules and Regulations of the Georgia Composite Medical Board. Appearing on behalf of the Board was Betsy D. Cohen, Assistant Attorney General. Andrew Ben-Hua Chung, M.D. (“Respondent”) was present and represented himself.

After conducting the hearing, the Board hereby enters this Final Decision.

FINDINGS OF FACT

1.

Respondent was licensed to practice medicine in the State of Georgia on or about August 3, 1995 and was so licensed at all times relative this matter. Respondent’s license is suspended. The license expires July 31, 2017. (Testimony of Robert Jeffery; Petitioner’s Exhibit #1.)

2.

In or about June 2015, the Board received information alleging Respondent was

exhibiting behavior that raised concern as to Respondent's mental stability. Lawrence LoRusso, an attorney, testified that he had conversed with Respondent on several occasions on behalf of a client. On each occasion, Respondent would not converse with Mr. LoRusso until he answered the following question, "Are you wonderfully hungry?" Respondent stated that answering the question was the only way he could tell if someone was having a heart attack while he was talking to that person. Since the initial contact, Respondent has been posting comments on his Facebook page every two to three days. Mr. LoRusso filed a complaint with the Board.

3.

Based on information received by the Board, the Board conducted an investigation. (Testimony of Steve Wills.)

4.

On or about May 16, 2016, the Board issued a Confidential Order for Mental/Physical Examination ("Order" or "Order for Mental/Physical Examination" or "OMPE"), Docket No. 10160039, requiring Respondent to obtain a comprehensive, multidisciplinary mental/physical examination by a Board approved physician/facility with expertise in the area of psychiatric evaluation, to include neuropsychological and neurocognitive testing and evaluation. (Testimony of Robert Jeffery; Petitioner's Exhibit No. 2.) A Board agent personally served Respondent with the Order for Mental/Physical Examination. (Testimony of Steve Wills; Petitioner's Exhibit No. 7.)

5.

The Order was based on reasonable grounds regarding Respondent's behavior and speech that raised concern about Respondent's ability to practice medicine with reasonable

skill and safety. (Testimony of Robert Jeffery; Petitioner's Exhibit No. 2.) (Testimony of Lawrence LoRusso)

6.

Respondent failed to comply with the Board's Order; no report or results of an examination were received by the Board. (Testimony of Robert Jeffery)

7.

As the issue was whether the Respondent was safe to practice due to a medical condition and the Respondent failed to comply with such order, the Board determined there was an imminent threat to the public. As a result, on or about June 15, 2016 the Board issued an Order of Summary Suspension, Docket No. 10160039, which summarily suspended Respondent's medical license for failure to comply with the Board's Order for Mental/Physical Examination. (Testimony of Robert Jeffery; Petitioner's Exhibit No. 3.) A Board agent personally served Respondent with the Order of Summary Suspension on or about June 17, 2016. (Testimony of Steve Wills; Petitioner's Exhibit No. 8.) Respondent would not converse with Agent Wills until he answered the question "are you wonderfully hungry?" (Testimony of Steve Wills)

8.

On or about May 15 and 17, 2016, Respondent informed the Board in writing that the earliest an approved facility could schedule a "fitness for duty evaluation" was not until June 5th through the 9th. (Petitioner's Exhibits No. 4 and 5.) On or about June 3, 2016, Respondent informed the Board in writing that "the Board-approved facility has cancelled the Board-approved 'fitness for duty' evaluation deeming it an inappropriate use of its services based on information in ... a journalist-led 10-2-2015 discussion as to why the President of

the United States (POTUS) along with other Americans need to always say we're "wonderfully hungry" and care to "convince it forward." (Testimony of Robert Jeffery; Petitioner's Exhibit No. 6.)

9.

Chip Abernathy, a employee with Ridgeview Institute, provided testimony that Respondent had never scheduled a mental/physical examination, that Respondent denied having been issued a Board order to obtain an examination, and that no representative from Ridgeview Institute received any materials necessary for the facility to conduct an evaluation.

10.

Respondent testified the he has complied with the Board's Order; however, everything else was beyond his control. Respondent testified the he is a candidate for President of the United States and that if he submits to a mental evaluation, everything has to be 100% transparent and on-line. Respondent testified that his platform requires him the ask everyone if they are "wonderfully hungry." Respondent testified that in asking the question, he is exercising his right to free speech.

CONCLUSIONS OF LAW

O.C.G.A § 50-13-18(c)(1) provides that:

(c) No revocation, suspension, annulment, or withdrawal of any license is lawful unless, prior to the institution of agency proceedings, the agency has sent notice, by certified mail or statutory overnight delivery to the licensee, of individual facts or conduct which warrant the intended action and the licensee has been given an opportunity to show compliance with all lawful requirements for the retention of the license except where:

(1) The agency finds that the public health, safety, or welfare imperatively requires emergency action and incorporates a finding to that effect in its order, in which case

summary suspension of a license may be ordered pending proceedings for revocation or other action, which proceeding shall be promptly instituted and determined.

O.C.G.A § 43-34-8 (a)(13) authorizes the Board to discipline a medical license upon a finding that the licensee has:

Become unable to practice pursuant to this chapter with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material, or as a result of any mental or physical condition:

(A) In enforcing this paragraph the board may, upon reasonable grounds, require a licensee, certificate holder, permit holder, or applicant to submit to a mental or physical examination by physicians designated by the board. ... Every person who shall accept the privilege of practicing a profession regulated under this chapter in this state shall be deemed to have given his or her consent to submit to such mental or physical examination and to have waived all objections to the admissibility of the results in any hearing before the board, upon the grounds that the same constitutes a privileged communication. If a licensee, certificate holder, permit holder, or applicant fails to submit to such an examination when properly directed to do so by the board, unless such failure was due to circumstances beyond his or her control, the board may enter a final order upon proper notice, hearing, and proof of such refusal. Any licensee, certificate holder, permit holder, or applicant who is prohibited from practicing pursuant to this chapter under this paragraph shall at reasonable intervals be afforded an opportunity to demonstrate to the board that he or she can resume or begin practice pursuant to this chapter with reasonable skill and safety to patients.

O.C.G.A § 43-34-8 (a)(10) authorizes the Board to discipline a medical license upon a finding that the licensee has:

Violated or attempted to violate a law, rule, or regulation of this state, any other state, the board, the United States, or any other lawful authority without regard to whether the violation is criminally punishable, which law, rule, or regulation relates to or in part regulates the practice of medicine, when the licensee or applicant knows or should know that such action is violative of such law, rule, or regulation; or violated a lawful order of the board, previously entered by the board in a disciplinary hearing.

Upon a finding that a person should be disciplined upon grounds identified in

O.C.G.A. § 43-34-8(a), the Board is authorized to take any one or more of the following actions under O.C.G.A. § 43-34-8(b):

(A) Refuse to grant a license, certificate, or permit to an applicant;

- (B) Place the licensee, certificate holder, or permit holder on probation for a definite or indefinite period with terms and conditions;
- (C) Administer a public or private reprimand, provided that a private reprimand shall not be disclosed to any person except the licensee, certificate holder, or permit holder;
- (D) Suspend any license, certificate, or permit for a definite or indefinite period;
- (E) Limit or restrict any license, certificate, or permit;
- (F) Revoke any license, certificate, or permit;
- (G) Impose a fine not to exceed \$3,000.00 for each violation of a law, rule, or regulation relating to the licensee, certificate holder, permit holder or applicant;
- (H) Impose a fine in a reasonable amount to reimburse the board for the administrative costs;
- (I) Require passage of a board approved minimum competency examination;
- (J) Require board approved medical education;
- (K) Condition the penalty, or withhold formal disposition, which actions shall be kept confidential, unless there is a public order upon the licensee or applicant, certificate holder, or permit holder's submission to the care, counseling, or treatment by physicians or other professional persons and the completion of such care, counseling, or treatment, as directed by the board; or
- (L) Require a board approved mental and physical evaluation of all licensees, certificate holders, or permit holders.

ORDER

After hearing the testimony of the witnesses, and reviewing the exhibits tendered, and the relevant law, the Board finds by a preponderance of the evidence that the Board had reasonable grounds to issue an OMPE in this matter.

The Board further finds by a preponderance of the evidence that Dr. Chung was served with the OMPE and that Dr. Chung has failed to comply with the Order. Thus, the Board had sufficient cause to summarily suspend Dr. Chung's license.

The Board further finds by a preponderance of the evidence that Dr. Chung has not provided the Board with any evidence of hardship that would have prevented him from complying with the Order.

THEREFORE, it is the DECISION of the Board to uphold the Order of Summary Suspension. The Board orders Dr. Chung to submit to a mental/physical examination, to be conducted by a Board approved psychiatrist, within thirty days from the docket date of this DECISION. If the results of a mental/physical examination are not received by the Board by the end of the business day on the thirtieth day, Dr. Chung's medical license shall be REVOKED.

This is the FINAL DECISION of the Board as a matter of law under O.C.G.A. Sections §§ 50-13-17 and 50-13-41.

This the 4th day of August, 2016.

GEORGIA COMPOSITE MEDICAL BOARD




BY:



JOHN S. ANTALIS, MD
Chairperson

ATTEST:



ROBERT JEFFERY
Executive Director

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

GEORGIA COMPOSITE
MEDICAL BOARD

IN THE MATTER OF:

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AUG 11 2016

NOLAN LASSITER, MD,
License No. 10220,
Respondent.

DOCKET NUMBER:
2013 0023

PUBLIC BOARD ORDER TERMINATING PROBATION

WHEREAS, following a period of restriction on Respondent's practice in the State of Georgia based on prescribing controlled substances, the Georgia Composite Medical Board ("Board") entered a Public Consent Order Permitting Practice with Conditions, Docket No. 20130023, effective January 11, 2013. This Order placed Respondent's license on a period of restrictions subject to terms and conditions.

WHEREAS, on or about August 4, 2016, Respondent interviewed with the Board and the Board determined that the Respondent has complied with the terms and conditions of the Public Consent Order.

NOW, THEREFORE, the Board hereby terminates the restriction of Respondent's license. Respondent's license is returned to unrestricted status and is in good standing.

SO ORDERED, this 4th day of August, 2016.

GEORGIA COMPOSITE MEDICAL BOARD



BY:

John S. Antalis, M.D.

JOHN S. ANTALIS, M.D.
Chairperson

ATTEST:

Robert Jeffery

ROBERT JEFFERY, MBA
Executive Director

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF:

CARL AXEL LINDBLAD, M.D.,
License No. 22163,
Respondent.

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GEORGIA COMPOSITE
MEDICAL BOARD

AUG 04 2016

DOCKET NUMBER:
20160054

PUBLIC CONSENT ORDER

By agreement of the Georgia Composite Medical Board ("Board") and CARL AXEL LINDBLAD, M.D. ("Respondent"), the following disposition of the matter is entered into pursuant to the provisions of O.C.G.A. § 50-13-13 (a) (4), as amended.

FINDINGS OF FACT

1.

Respondent is licensed to practice medicine in the State of Georgia and was licensed as such at all times relevant to the matters stated herein. Respondent is also licensed as a physician in the State of Tennessee, holding license no. 13035.

2.

On or about July 23, 2014, Respondent certified entered into an Agreed Order with the Tennessee Board of Medical Examiners ("Tennessee Board") based Respondent's ordering and dispensing of controlled substances and providing medical care from his home to friends and neighbors without creating or maintaining any medical records for said individuals. The Agreed Order indicated that Respondent ceased dispensing controlled substances in early 2012 and that in about March 2013 Respondent was evaluated by the Vanderbilt Comprehensive Assessment Program ("VCAP") and VCAP did not have any concerns about Respondent abusing or misusing alcohol or controlled substances.

3.

The Agreed Order reprimanded Respondent's medical license; restricted Respondent from dispensing controlled substances directly to patients; required Respondent to complete, within one (1) year, approved continuing medical education courses in medical record keeping and the prescribing of controlled substances; and pay prosecution costs to a maximum of two thousand dollars (\$2,000.00).

4.

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

CONCLUSIONS OF LAW

Respondent's conduct and disciplinary action in another state constitutes sufficient grounds for the imposition of discipline upon his license to practice medicine in the State of Georgia pursuant to O.C.G.A. Chs. 1 and 34, T. 43, as amended. Respondent waives any further conclusions of law with respect to the above-styled matter.

ORDER

The Georgia Composite Medical Board, having considered the particular facts and circumstances of the case, hereby orders, and Respondent hereby agrees, to the following:

1.

Respondent's medical license is hereby **restricted** in that Respondent is prohibited from dispensing controlled substances directly to patients. Respondent is still permitted to prescribe controlled substances. Respondent may petition the Board in writing to lift this restriction when he can demonstrate that the same restriction has been lifted by the Tennessee Board. Any lifting or modifying of this provision shall be in the discretion of the Board and in no case will a denial of such petition or

further modification thereto be considered a contested case as defined by O.C.G.A. Title 50, the Georgia Administrative Procedure Act.

2.

Respondent shall, within ninety (90) days of the docket date of this Consent Order, provide evidence to the Board that he has satisfied the requirement in the Tennessee Agreed Order as to the completion of additional continuing medical education courses in the areas of medical record keeping and the prescribing of controlled substances.

3.

Respondent shall submit to the Board a fine of \$500.00 to be paid in full by cashier's check or money order made payable to the Georgia Composite Medical Board within thirty (30) days of the effective date of this Consent Order. Failure to pay the entire amount by the 30th day shall be considered a violation of this Order and shall result in further sanctioning of Respondent's license, including revocation, upon substantiation thereof.

4.

This Consent Order shall constitute a public reprimand and may be disseminated by the Board as a public disciplinary action.

5.

Respondent understands that pursuant to O.C.G.A. Title 43, Chapter 34A the contents of this Order and the Tennessee Agreed 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 Profile reflecting these orders.

Respondent acknowledges that he has read this Consent Order and understands its contents. Respondent understands that he has a right to a hearing, and freely, knowingly, and voluntarily waives that right. Respondent understands that the Consent Order will not become effective until approved and docketed by the Georgia Composite Medical Board. Respondent further understands that the Board shall have the authority to review the investigative file and all relevant evidence in considering the Consent Order. Respondent further understands that the Consent Order, once approved, and its dissemination shall constitute a public record. However, if the Consent Order is not approved, it shall not constitute an admission against interest in the proceeding, or prejudice the right of the Board to adjudicate the matter. Respondent consents to the terms and conditions contained herein.

Approved, this 4th day of August, 2016.



GEORGIA COMPOSITE MEDICAL BOARD

BY: [Signature]
JOHN S. ANTALIS, M.D.
Chairperson

ATTEST: [Signature]
ROBERT JEFFREY
Executive Director

CONSENTED TO:

[Signature]
CARL AXEL LINDBLAD, M.D.
Respondent



As to Dr. Lindblad's signature:
Sworn to and subscribed before me
This 19th day of August, 2016

NOTARY PUBLIC
My commission expires:

March 25, 2017

#871660

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF:

IONI DIPTI SISODIA, M.D.,
License No. 62774,
Respondent.

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GEORGIA COMPOSITE
MEDICAL BOARD

AUG 04 2016

DOCKET NUMBER:
2017 0002

PUBLIC CONSENT ORDER

By agreement of the Georgia Composite Medical Board ("Board") and IONI DIPTI SISODIA, M.D. ("Respondent"), the following disposition of the matter is entered into pursuant to the provisions of O.C.G.A. § 50-13-13 (a) (4), as amended.

FINDINGS OF FACT

1.

Respondent is licensed to practice medicine in the State of Georgia and was licensed as such at all times relevant to the matters stated herein. Respondent is also licensed as a physician in the State of New York.

2.

On or about March 3, 2009, the Respondent entered into a Consent Agreement with the New York State Board for Professional Medical Conduct whereby Respondent agreed to a Censure and Reprimand and agreed to pay a \$5,000.00 fine. This action was based on Respondent's plea of guilty on or about November 20, 2007 to Petit Larceny, a violation of New York Penal Law, class A misdemeanor, and sentence to Unconditional Discharge. In or about 2008, you were excluded from participation as a provider of services for the Medicare program; your eligibility to participate in this program was reinstated in or about May 2013.

3.

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

CONCLUSIONS OF LAW

Respondent's conduct and disciplinary action in other states constitutes sufficient grounds for the imposition of discipline upon her license to practice medicine in the State of Georgia pursuant to O.C.G.A. Chs. 1 and 34, T. 43, as amended. Respondent waives any further conclusions of law with respect to the above-styled matter.

ORDER

The Georgia Composite Medical Board, having considered the particular facts and circumstances of the case, hereby orders, and Respondent hereby agrees, to the following:

1.

This Consent Order shall constitute a public reprimand of Respondent by the Board.

2.

Within 30 days of the effective date of this Order, Respondent shall submit to the Board evidence that she has fully complied with the New York Consent Order.

3.

Respondent understands that pursuant to O.C.G.A. Title 43, Chapter 34A the contents of this Order and the New York 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 Profile reflecting the orders.

4.

Respondent shall abide by all State and Federal laws regulating her practice as a physician, the Rules and Regulations of the Georgia Composite Medical Board, and the terms of this Consent Order. If Respondent shall fail to abide by such laws, rules or terms, or if it should appear to the Board that Respondent is otherwise unable to practice 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 shall be permanently revoked and not subject to reinstatement. Respondent further agrees that any violation of this Consent Order shall be deemed to be sufficient to authorize the Board to order summary suspension of Respondent's license, pending further proceedings, pursuant to the provisions of the Georgia Administrative Procedure Act, O.C.G.A. § 50-13-18(c)(1), or any other statute authorizing emergency action, but Respondent understands that Respondent shall be entitled to an expedited hearing to substantiate such violation(s), if the Board exercise such right.

5.

Respondent acknowledges that she has read this Consent Order and understands its contents. Respondent understands that she has a right to a hearing, and freely, knowingly, and voluntarily waives that right. Respondent understands that the Consent Order will not become effective until approved and docketed by the Georgia Composite Medical Board. Respondent further understands that the Board shall have the authority to review the investigative file and all relevant evidence in considering the Consent Order. Respondent further understands that the Consent Order, once approved, and its dissemination shall constitute a public record. However, if the Consent Order is not approved, it shall not

constitute an admission against interest in the proceeding, or prejudice the right of the Board to adjudicate the matter. Respondent consents to the terms and conditions contained herein.

Approved, this 12 day of July, 2016.



GEORGIA COMPOSITE MEDICAL BOARD

BY:

John S. Antalis
~~ALICE HOUSE, M.D.~~ JOHN S. ANTALIS, MD
Chairperson

ATTEST:

Robert Jeffery
ROBERT JEFFERY
Executive Director

CONSENTED TO:

Ioni Dipti Sisodia MD
IONI DIPTI SISODIA, M.D.
Respondent

[As to Respondent's signature:]
Sworn to and subscribed before me
This 12 day of July, 2016.
Rebecca Espinoza
NOTARY PUBLIC
My commission expires:

