

November 2024 Public Board Actions List

Georgia Composite Medical Board

The Board issued **thirteen** public orders in **November 2024**. To view each Board order, click on the licensee's name below.

1. Anand Pankaj Lalaji, MD

50198

Physician

Voluntary Surrender

2. Benjamin A. Feinzimer, DO

91109

Physician

Public Consent Order

3. Brigg William Barsness, MD

97547

Physician

Public Consent Order

4. David Lamar Brand, Jr., MD

46045

Physician

Public Consent order

5. James Staheli, DO

80243

Physician

Public Consent Order

6. Jay Steven Berger, MD

26455

Physician

Order of Summary Suspension

7. Kenya Teems, RCP

1787

Respiratory Care Professional

Public Consent Agreement for Reinstatement

8. Kyle Patrick Walsh

496

Acupuncturist

Consent Agreement for Reinstatement

9. Lee Brandt Jr., PA

3438

Physician Assistant

Public Consent Order

10. Neil Kamal Sinah, MD

65183

Physician

Public Consent Order

11. Sinan Haddad, MD

56455

Physician

Public Consent Order

12. Victor Tseng, MD

81169

Physician

Final Decision

13. Wilhmenia Singleton Bailey, PA-C

2126

Physician Assistant

Consent Agreement for Reinstatement

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

IN THE MATTER OF:

**ANAND PANKAJ LALAJI, MD,
License No. 50198,
Respondent.**

*
*
*
*
*

Docket No. _____

GEORGIA COMPOSITE
MEDICAL BOARD

NOV 13 2024

DOCKET NUMBER:

20250026

VOLUNTARY SURRENDER

I, ANAND PANKAJ LALAJI, MD, holder of License No. 50198 to practice as a physician 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. I hereby acknowledge that this surrender shall be considered to be and 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 acknowledge that I have read and understand the contents of this Voluntary Surrender. I understand that I have a right to a hearing in this matter, and I hereby freely, knowingly and voluntarily waive such right. I also understand that should the Board entertain any request for reinstatement, the Board shall have access to any investigative or medical information regarding me. 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 as a physician with reasonable skill and safety to patients, and that the Board may investigate my conduct since the time of the surrender of my license. I understand and agree that any reinstatement of my license to practice as a physician is a matter in the sole discretion of the Board and that the Board may deny any such reinstatement without identifying a reason for said denial.

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 entered pursuant to

O.C.G.A. §43-34-8(b)(1) and that this action shall be considered to be and may be disseminated as a final order of the Board.

[As to Respondent's signature:]

Sworn to and subscribed before me

This 5 day of November, 2024.

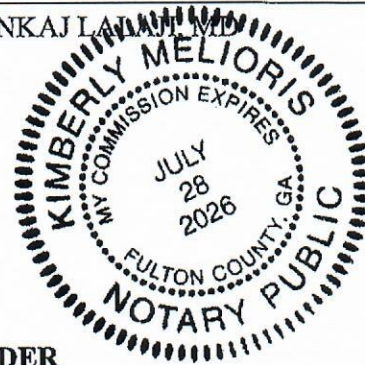
Respondent


ANAND PANKAJ LALAN, MD

Respondent


NOTARY PUBLIC

My commission expires: July 28, 2026



ACCEPTANCE OF SURRENDER

The voluntary surrender of License No. 50198 is hereby accepted by the Georgia Composite Medical Board, this 13th day of November, 2024.

GEORGIA COMPOSITE MEDICAL BOARD

(BOARD SEAL)



BY:



SREENIVASULU GANGASANI, MD
Chairperson

ATTEST:



JASON S. JONES
Executive Director

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD
STATE OF GEORGIA

IN THE MATTER OF:

BENJAMIN ALAN FEINZIMER, D.O.,
License No. 91109,

Respondent.

*
*
*
*
*

DOCKET NO:

GEORGIA COMPOSITE
MEDICAL BOARD

NOV 13 2024

DOCKET NUMBER:

20250025

PUBLIC CONSENT ORDER

By agreement of the Georgia Composite Medical Board (“Board”) and BENJAMIN ALAN FEINZIMER, D.O. (“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.

FINDINGS OF FACT

1.

Respondent is licensed to practice medicine as a physician in the State of Georgia and was so licensed at all times relevant to the matters asserted herein.

2.

On or about May 9, 2024, the Mississippi State Board of Medical Licensure (“Mississippi Board”) issued a “Determination and Order” (“Mississippi Disciplinary Action”) against Respondent’s Mississippi medical license (#26008). The Mississippi Board determined the following violations: “Prescribing, administering, or dispensing any legend drug without a good faith prior examination and medical indication” and “unprofessional conduct.” Specifically, the unprofessional conduct was outlined as “knowingly performing any act which in any way assist[ed] an unlicensed person to practice medicine” and “dishonorable or unethical conduct likely to deceive or harm the public.” The Mississippi Disciplinary Action arose from a complaint

wherein two IV hydration practices, for which Respondent was a medical director, were owned and operated by registered nurses who were practicing under “standing orders.” The registered nurses were not advanced practice registered nurses.

3.

Respondent neither admits nor denies 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, if proven, constitutes sufficient grounds for the imposition of discipline upon his license to practice as a licensed 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

1.

The Board, having considered all the facts and circumstances surrounding this case, hereby orders, and Respondent hereby agrees, that his license to practice medicine as a physician in the State of Georgia shall be subject to the following terms and conditions:

Payment. Within **ninety (90) days** of the docket date of this Consent Order, Respondent shall submit to the Board payment in the amount of **five thousand dollars (\$5,000.00)**.

Such payment shall be payable by cashier's check or money order made payable to the Georgia Composite Medical Board and shall be submitted via mail to: Jason S. Jones, Executive Director, Georgia Composite Medical Board, 2 Martin Luther King Jr. Drive SE, East Tower, 11th Floor, Atlanta, GA 30334. **Failure to make payment within the**

stated time period shall be deemed a violation of this Consent Order and shall subject Respondent's license to further disciplinary action, including revocation.

Coursework. Within **ten (10) days** of the docket date of this Consent Order, Respondent shall forward documentation of completion of the continuing medical education ("CME") course in professionalism and ethics ordered in the Mississippi Disciplinary Action. Said documentation may be sent to Latisha Bias, Director of Compliance, via email to latisha.bias@dch.ga.gov, or as otherwise directed by the Board. **Failure to submit the documentation within the stated time period shall be deemed a violation of this Consent Order and shall subject Respondent's license to further disciplinary action, including revocation.**

2.

In addition to and in conjunction with any other sanction contained herein, this Consent Order and dissemination thereof shall serve as a **PUBLIC REPRIMAND** to the Respondent for Respondent's conduct.

3.

If the Respondent shall fail to abide by all state and federal laws relating to drugs and regulating the practice of medicine in the State of Georgia, the Rules and Regulations of the Georgia Composite Medical Board, the terms of this Consent Order, or if it should appear from information received by the Board that the Respondent is unable to practice as a physician with reasonable skill and safety, Respondent's license may be further sanctioned or revoked, upon substantiation thereof.

4.

Respondent acknowledges that he has read this Consent Order and understands its contents. Respondent understands that this Consent Order will not become effective until approved by the Georgia Composite Medical Board and docketed by the Board. 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 understands that this Consent Order, once approved and docketed, shall constitute a public record, evidencing disciplinary action by the Board. However, if the Consent Order is not approved, it shall not constitute an admission against interest in this proceeding or prejudice the Board's ability to adjudicate this matter. Respondent understands that, by entering into this Consent Order, Respondent may not be eligible for a multistate license. The Respondent hereby consents to the terms and sanctions contained herein.

Approved this 13th day of November, 2024.



GEORGIA COMPOSITE MEDICAL BOARD

BY:

S. Gangasani

SREENIVASULU GANGASANI, MD
Chairperson

ATTEST:

J. S. Jones

JASON S. JONES
Executive Director

CONSENTED TO:

B. Alan Feinzimer

BENJAMIN ALAN FEINZIMER, D.O.
Respondent

[As to the Signature of Benjamin Alan Feinzimer, D.O.]

Sworn to and subscribed before me
this 8th day of November, 2024.

Rosanne Steinburg
NOTARY PUBLIC

My Commission Expires: 07/27/2027



BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD
STATE OF GEORGIA

IN THE MATTER OF:

BRIGG WILLIAM BARSNESS, M.D.,
License No. 97547,

Respondent.

*
*
*
*
*
*

DOCKET NO:

GEORGIA COMPOSITE
MEDICAL BOARD

NOV 04 2024

DOCKET NUMBER:
20250023

PUBLIC CONSENT ORDER

By agreement of the Georgia Composite Medical Board ("Board") and BRIGG WILLIAM BARSNESS, 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.

FINDINGS OF FACT

1.

Respondent is licensed to practice medicine as a physician in the State of Georgia and was so licensed at all times relevant to the matters asserted herein.

2.

On or about January 17, 2024, Respondent entered into an "Agreed Order" with the Commonwealth of Kentucky Board of Medical Licensure in Case Number 2139 ("Kentucky Disciplinary Action") due to the following violation: Respondent responded "no" to a question on his Kentucky medical license application when asked if he had previously been investigated. It was discovered by the Kentucky Board of Medical Licensure that Respondent was investigated by the Wisconsin Medical Examining Board for a complaint.

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, if proven, constitutes sufficient grounds for the imposition of discipline upon his license to practice as a licensed 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

1.

The Board, having considered all the facts and circumstances surrounding this case, hereby orders, and Respondent hereby agrees, that his license to practice medicine as a physician in the State of Georgia shall be subject to the following terms and conditions:

Fine. Within **sixty (60) days** of the docket date of this Consent Order, Respondent shall submit to the Board a fine in the amount of **one thousand dollars (\$1,000.00)**. Such fine shall be payable by cashier's check or money order made payable to the Georgia Composite Medical Board and shall be submitted via mail to: Jason S. Jones, Executive Director, Georgia Composite Medical Board, 2 Martin Luther King Jr. Drive SE, East Tower, 11th Floor, Atlanta, GA 30334. **Failure to pay the fine within the stated time period shall be deemed a violation of this Consent Order and shall subject Respondent's license to further disciplinary action, including revocation.**

2.

In addition to and in conjunction with any other sanction contained herein, this Consent Order and dissemination thereof shall serve as a **PUBLIC REPRIMAND** to the Respondent for Respondent's conduct.

3.

If the Respondent shall fail to abide by all state and federal laws relating to drugs and regulating the practice of medicine in the State of Georgia, the Rules and Regulations of the Georgia Composite Medical Board, the terms of this Consent Order, or if it should appear from information received by the Board that the Respondent is unable to practice as a physician with reasonable skill and safety, Respondent's license may be further sanctioned or revoked, upon substantiation thereof.

4.

Respondent acknowledges that he has read this Consent Order and understands its contents. Respondent understands that this Consent Order will not become effective until approved by the Georgia Composite Medical Board and docketed by the Board. 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 understands that this Consent Order, once approved and docketed, shall constitute a public record, evidencing disciplinary action by the Board. However, if the Consent Order is not approved, it shall not constitute an admission against interest in this proceeding or prejudice the Board's ability to adjudicate this matter. Respondent understands that, by entering into this Consent Order, Respondent may not be eligible for a multistate license. The Respondent hereby consents to the terms and sanctions contained herein.

Approved this 21st day of October, 2024.

GEORGIA COMPOSITE MEDICAL BOARD



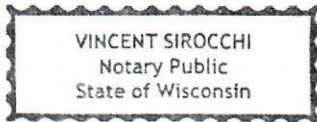
BY: [Signature]
SREENIVASULU GANGASANI, MD
Chairperson

ATTEST: [Signature]
JASON S. JONES
Executive Director

CONSENTED TO: [Signature]
BRIGG WILLIAM BARSNESS, M.D.
Respondent

[As to the Signature of Brigg William Barsness, M.D.]
Sworn to and subscribed before me
this 21 day of OCTOBER, 2024.

[Signature]
NOTARY PUBLIC
My Commission Expires: 08/30/2026



BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD
STATE OF GEORGIA

IN THE MATTER OF:

DAVID LAMAR BRAND, JR, MD,
License No. 46045,

Respondent.

*
*
*
*
*
*

DOCKET NO:

GEORGIA COMPOSITE
MEDICAL BOARD

NOV 04 2024

DOCKET NUMBER:

20250032

PUBLIC CONSENT ORDER

By agreement of the Georgia Composite Medical Board (“Board”) and DAVID LAMAR BRAND, JR, MD (“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.

FINDINGS OF FACT

1.

Respondent is licensed to practice medicine as a physician in the State of Georgia and was so licensed at all times relevant to the matters asserted herein.

2.

On or about December 17, 2019, the Board received a complaint wherein it was alleged that Respondent overprescribed controlled substances and narcotics, including Xanax and opioids. Ten random records were subpoenaed from Respondent’s practice, and a peer reviewer was utilized by the Board. The peer reviewer did find Respondent’s practice fell below the minimum standards of acceptable and prevailing practice. Specifically, Respondent was found to have overprescribed narcotics, prescribed narcotics during non-office visits or visits wherein the sole reason was to refill narcotics, failed to properly refer patients to specialists for chronic pain, failed

to co-prescribe naloxone or other opioid antagonist when appropriate, failed to properly manage chronic pain patients, and failed to properly document patient charts.

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, if proven, constitutes sufficient grounds for the imposition of discipline upon his license to practice as a licensed 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

1.

The Board, having considered all the facts and circumstances surrounding this case, hereby orders, and Respondent hereby agrees, that his license to practice medicine as a physician in the State of Georgia shall be subject to the following terms and conditions:

1. Fine and Fee. Within **ninety (90) days** of the docket date of this Consent Order, Respondent shall submit to the Board a fine in the amount of **five thousand dollars (\$5,000.00)** and a fee in the amount of **seven hundred and twenty-five dollars (\$725.00)** to reimburse the Board for actual costs expended in this case. Such fine and fee shall be payable by cashier's check or money order made payable to the Georgia Composite Medical Board and shall be submitted via mail to: Jason S. Jones, Executive Director, Georgia Composite Medical Board, 2 Martin Luther King Jr. Drive SE, East Tower, 11th Floor, Atlanta, GA 30334. **Failure to pay the**

fine and fee within the stated time period shall be deemed a violation of this Consent Order and shall subject Respondent's license to further disciplinary action, including revocation.

2. Coursework. Within **ninety (90) days** of the docket date of this Consent Order, Respondent shall complete continuing medical education ("CME") hours on the subject of **prescribing**, said course to be pre-approved by the Board. Said course shall not be used as CME hours for renewal. Documentation for approval and for evidencing completion of coursework may be sent to Latisha Bias, Director of Compliance, via email to latisha.bias@dch.ga.gov, or as otherwise directed by the Board. **Failure to submit the required documentation, within the stated time period, shall be deemed a violation of this Consent Order and shall subject Respondent's license to further disciplinary action, including revocation.**

2.

In addition to and in conjunction with any other sanction contained herein, this Consent Order and dissemination thereof shall serve as a **PUBLIC REPRIMAND** to the Respondent for Respondent's conduct.

3.

If the Respondent shall fail to abide by all state and federal laws relating to drugs and regulating the practice of medicine in the State of Georgia, the Rules and Regulations of the Georgia Composite Medical Board, the terms of this Consent Order, or if it should appear from information received by the Board that the Respondent is unable to practice as a physician with reasonable skill and safety, Respondent's license may be further sanctioned or revoked, upon substantiation thereof.

4.

Respondent acknowledges that he has read this Consent Order and understands its contents. Respondent understands that this Consent Order will not become effective until approved by the Georgia Composite Medical Board and docketed by the Board. 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 understands that this Consent Order, once approved and docketed, shall constitute a public record, evidencing disciplinary action by the Board. However, if the Consent Order is not approved, it shall not constitute an admission against interest in this proceeding or prejudice the Board's ability to adjudicate this matter. Respondent understands that, by entering into this Consent Order, Respondent may not be eligible for a multistate license. The Respondent hereby consents to the terms and sanctions contained herein.

Approved this 4th day of November, 2024.

[Signatures on Following Page]



GEORGIA COMPOSITE MEDICAL BOARD

BY: S. Gangasani

SREENIVASULU GANGASANI, MD
Chairperson

ATTEST: J. S. Jones

JASON S. JONES
Executive Director

CONSENTED TO: D. Lamar Brand, Jr.
DAVID LAMAR BRAND, JR., MD
Respondent

[As to the Signature of David Lamar Brand, Jr, MD]
Sworn to and subscribed before me
this 16 day of October, 2024.

Jason M. Jones
NOTARY PUBLIC
My Commission Expires: May 23, 2027

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD
STATE OF GEORGIA

IN THE MATTER OF:

JAMES STAHELI, D.O.,
License No. 080243,

Respondent.

*
*
*
*
*
*

DOCKET NO:

GEORGIA COMPOSITE
MEDICAL BOARD

NOV 04 2024

DOCKET NUMBER:

20250020

PUBLIC CONSENT ORDER

By agreement of the Georgia Composite Medical Board (“Board”) and JAMES STAHELI, D.O. (“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.

FINDINGS OF FACT

1.

Respondent is licensed to practice medicine as a physician in the State of Georgia and was so licensed at all times relevant to the matters asserted herein.

2.

On or about December 13, 2023, Respondent entered into a “Consent Agreement Between Jame Staheli, D.O. and the State Medical Board of Ohio” (“State Medical Board of Ohio disciplinary action”) due to the following violations: Renewing prescriptions for phentermine and other non-opioid controlled substances without proper examination of patients on “ a number of occasions,” not checking the Ohio Automated Rx Reporting System (“OARRS system”), as required by Ohio law, prior to prescribing the previously named substances, and frequently treating multiple members of the same family and mixing up the birth date of said family members in medical records.

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, if proven, constitutes sufficient grounds for the imposition of discipline upon his license to practice as a licensed 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

1.

The Board, having considered all the facts and circumstances surrounding this case, hereby orders, and Respondent hereby agrees, that his license to practice medicine as a physician in the State of Georgia shall be suspended for a period of **ninety (90) days** followed by a period of probation for **two (2) years**, subject to the following terms and conditions:

1. Probation. Within **sixty (60) days** from the scheduled date of termination of probation, Respondent may petition for termination of probation by certifying under oath before a notary public that Respondent has complied with all conditions of probation and by providing documentation supporting discharge from probation. The Respondent may be required to appear before the Board, or a committee thereof, in its consideration of his request to terminate probation. The Board shall be authorized to review and evaluate the practice of Respondent prior to lifting the probationary status of Respondent's license. At such time, the Board shall be authorized to restore all rights and privileges incident to the license of Respondent,

unless it extends, maintains, or imposes such restrictions or conditions as the Board deems appropriate, based upon the information presented to it pursuant to this Consent Order or otherwise available to the Board. The Board shall notify Respondent of its intent to extend, maintain, or impose such restrictions or conditions beyond the designated probationary period, and Respondent may respond to such notification in writing or request an appearance before the Board or its representatives as in a non-contested case. This Consent Order shall remain in effect pending a final determination by the Board and notification that the probationary period has terminated. Specifically, the Respondent shall comply with the terms and conditions of this Consent Order until such time as Respondent has been notified that his probationary period has been terminated.

2. **Fine.** Within **sixty (60) days** of the docket date of this Consent Order, Respondent shall submit to the Board a fine in the amount of **three thousand dollars (\$3,000.00)**. Such fine shall be payable by cashier's check or money order made payable to the Georgia Composite Medical Board and shall be submitted via mail to: Jason S. Jones, Executive Director, Georgia Composite Medical Board, 2 Martin Luther King Jr. Drive SE, East Tower, 11th Floor, Atlanta, GA 30334. **Failure to pay the fine within the stated time period shall be deemed a violation of this Consent Order and shall subject Respondent's license to further disciplinary action, including revocation.**
3. **Coursework.** Within **ten (10) days** of the docket date of this Consent Order, Respondent shall forward the written reports describing the Case Western Intensive Course in Controlled Substance Prescribing, taken on or before February 6-8, 2023,

and the Case Western Intensive Course in Medical Documentation, taken on or about March 9-10, 2023, both written reports required under the State Medical Board of Ohio disciplinary action, to the Board. Said report may be sent to Latisha Bias, Director of Compliance, via email to latisha.bias@dch.ga.gov, or as otherwise directed by the Board. **Failure to submit the written reports, within the stated time period, shall be deemed a violation of this Consent Order and shall subject Respondent's license to further disciplinary action, including revocation.**

4. Quarterly Declarations. Beginning with the first quarterly declaration required by the State Medical Board of Ohio disciplinary action, Respondent shall forward the quarterly declarations required by the State Medical Board of Ohio disciplinary action to the Board as they are sent to the State Medical Board of Ohio. Reports may be sent to Latisha Bias, Director of Compliance, via email to latisha.bias@dch.ga.gov, or as otherwise directed by the Board. **Failure to forward the quarterly declarations shall be deemed a violation of this Consent Order and shall subject Respondent's license to further disciplinary action, including revocation.**

2.

In addition to and in conjunction with any other sanction contained herein, this Consent Order and dissemination thereof shall serve as a **PUBLIC REPRIMAND** to the Respondent for Respondent's conduct.

3.

If the Respondent shall fail to abide by all state and federal laws relating to drugs and regulating the practice of medicine in the State of Georgia, the Rules and Regulations of the Georgia Composite Medical Board, the terms of this Consent Order, or if it should appear from information received by the Board that the Respondent is unable to practice as a physician with reasonable skill and safety, Respondent's license may be further sanctioned or revoked, upon substantiation thereof.

4.

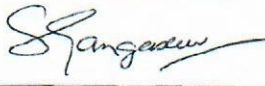
Respondent acknowledges that he has read this Consent Order and understands its contents. Respondent understands that this Consent Order will not become effective until approved by the Georgia Composite Medical Board and docketed by the Board. Respondent further understands and agrees that the Board shall have the authority to review the investigative file and all relevant evidence in considering this Consent Order. Respondent understands that this Consent Order, once approved and docketed, shall constitute a public record, evidencing disciplinary action by the Board. However, if the Consent Order is not approved, it shall not constitute an admission against interest in this proceeding or prejudice the Board's ability to adjudicate this matter. Respondent understands that, by entering into this Consent Order, Respondent may not be eligible for a multistate license. The Respondent hereby consents to the terms and sanctions contained herein.

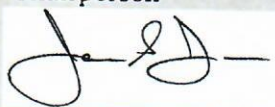
Approved this ^{4th} ~~23~~ day of ^{November} ~~October~~, 2024.

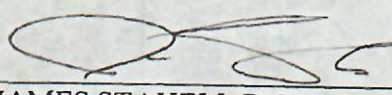
[Signatures on Following Page]



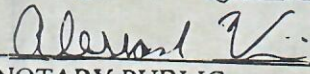
GEORGIA COMPOSITE MEDICAL BOARD

BY: 
SREENIVASULU GANGASANI, MD
Chairperson

ATTEST: 
JASON S. JONES
Executive Director

CONSENTED TO: 
JAMES STAHELI, D.O.
Respondent

[As to the Signature of James Staheli, D.O.]
Sworn to and subscribed before me
this 23rd day of October, 2024.


NOTARY PUBLIC
My Commission Expires: 08/29/2028



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

IN THE MATTER OF:)
)
JAY STEVEN BERGER, M.D.,) **DOCKET NO.:**
License No. 26455)
)
Respondent.)

GEORGIA COMPOSITE
MEDICAL BOARD
NOV 13 2024
DOCKET NUMBER:
10250024

ORDER OF SUMMARY SUSPENSION

1.

WHEREAS, JAY STEVEN BERGER, M.D. (“Respondent”), is licensed by the Georgia Composite Medical Board (“Board”) to practice as a physician in the State of Georgia.

2.

WHEREAS, on or about October 29, 2024, officers with the Atlanta Police Department (“APD”) responded to Respondent’s condominium after a 911 call reported Respondent was going through a mental health crisis and had brandished a firearm. When APD officers arrived, Respondent was in the hallway but retreated into his home upon seeing the officers. Respondent told officers not to come any closer, and, within a few minutes, Respondent began firing shots through the walls and front door of his condo and outside on the balcony. Approximately 120 rounds were fired from his AK-47 weapon, and an APD SWAT officer was injured. Respondent was eventually removed from his condo and arrested. He has been charged with Aggravated Assault and, currently, being held without bail.

3.

WHEREAS, Board investigators spoke with Respondent. Respondent admitted something has been “wrong” for approximately thirteen or fourteen years. Respondent self-reported suffering from memory loss, post-traumatic stress disorder (“PTSD”), and chronic

traumatic encephalopathy (“CTE”). Additionally, Respondent advised the Board investigator that he needed psychiatric care.

4.

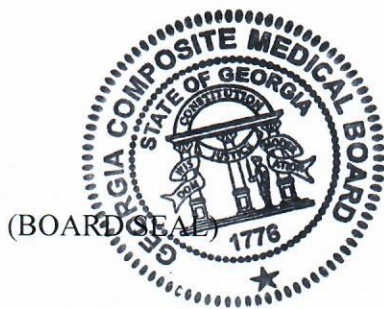
WHEREAS O.C.G.A. § 43-34-8(13)(A) allows the Board to discipline a licensee if the licensee “[b]ecome[s] unable to practice . . . with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material, or as a result of any mental or physical condition.”

5.

NOW THEREFORE, the Board finds that Respondent's continued practice as a physician poses a threat to the public health, safety and welfare and imperatively requires emergency action and hereby ORDERS that Respondent's license to practice medicine in the State of Georgia be and is hereby SUMMARILY SUSPENDED pursuant to O.C.G.A. § 50-13-18(c)(1).

This Order is signed and attested by the Executive Director on behalf of the Georgia Composite Medical Board.

This 13th day of November, 2024.



GEORGIA COMPOSITE MEDICAL BOARD

SREENIVASULU GANGASANI, MD
Chairperson

A handwritten signature in black ink, appearing to read "Jason S. Jones", is written over a horizontal line.

JASON S. JONES
Executive Director

PLEASE DIRECT ALL CORRESPONDENCE TO:
Michelle Sawyer
Senior Assistant Attorney General
40 Capitol Square, S.W.
Atlanta, Georgia 30334
Tel: (404) 458-3319
msawyer@law.ga.gov

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

IN THE MATTER OF:)
)
KENYA TEEMS) DOCKET NO:
RCP License No. 1787,)
)
Reinstatement Applicant.)

GEORGIA COMPOSITE
MEDICAL BOARD

NOV 13 2024

DOCKET NUMBER:
20250027

PUBLIC CONSENT AGREEMENT FOR REINSTATEMENT

Pursuant to O.C.G.A. Title 43, Chapters 1 and 34, the Georgia Composite Medical Board ("Board"), in its discretion, has considered the reinstatement application for licensure of Kenya Teems, ("Applicant") to practice as a respiratory care professional in the State of Georgia. In conjunction therewith, the Board hereby enters its Findings of Fact and Conclusions of Law as follows:

FINDINGS OF FACT

1.

On or about December 2, 1993, Applicant was issued a license to practice as a respiratory care professional in the State of Georgia. On or about January 31, 2024, Applicant's license expired. On or about April 30, 2024, Applicant's license lapsed for failure to renew upon expiration of the late renewal period.

2.

On or about September 10, 2024, Applicant submitted an application for reinstatement of Applicant's license to practice as a respiratory care professional. While reviewing the application, it was discovered that Applicant had worked as a respiratory care professional in Georgia after her license expired.

3.

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

CONCLUSIONS OF LAW

The unlicensed practice disclosed by Applicant is grounds for denial of licensure or licensure with discipline under O.C.G.A. Ch. 34, T. 43, as amended. Reinstatement of Applicant's license is within the discretion of the Board. 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 as a respiratory care professional in the State of Georgia shall be reinstated, subject to the following terms:

1.

Applicant shall submit to the Board a fine of **five hundred dollars (\$500.00)** to be paid in full by cashier's check or money order made payable to the Georgia Composite Medical Board within **sixty (60) days** of the effective date of this Consent Agreement. Said fine shall be sent to Georgia Composite Medical Board, 2 MLK Jr. Drive, SE, East Tower, 11th Floor, Atlanta, Georgia 30334, to the attention of the Executive Director. Failure to pay the entire amount by the 60th day shall be considered a violation of this Agreement and shall result in further sanctioning of Applicant's licensure, including revocation, upon substantiation thereof.

2.

This Consent Agreement and dissemination thereof shall be considered a **PUBLIC REPRIMAND** of Applicant by the Board.

3.

The effective date of this Consent Agreement is the date the Consent Agreement is docketed. Applicant should receive a docketed copy of the Consent Agreement from the Board at the Applicant's address and/or email address of record within ten (10) business days of the docket date. If Applicant has not received a docketed copy of the Consent Agreement, it is Applicant's responsibility to obtain a docketed copy of the Consent Agreement from the Board. Applicant must comply with the terms and conditions of the Consent Agreement beginning on the effective date.

4.

Applicant acknowledges that Applicant has read this Consent Agreement and understands its contents. Applicant understands that Applicant has the right to an appearance in this matter and freely, knowingly, and voluntarily waives that right by entering into this Consent Agreement. Applicant understands and agrees that a representative of the Department of Law may be present during the Board's consideration of this Consent Agreement and that the Board shall have the authority to review the investigative file and all relevant evidence in considering this Consent Agreement. Applicant further understands that this Consent Agreement will not become effective until approved and docketed by the Georgia Composite Medical Board. However, if this Consent Agreement is not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the Board to adjudicate this matter. Applicant hereby consents to the terms and sanctions contained herein.

(Signature on following page)

Approved this 13th day of November, 2024.

GEORGIA COMPOSITE MEDICAL BOARD

(BOARD SEAL)



BY: *S. Gangasani*
SREENIVASULU GANGASANI, MD
Chairperson

ATTEST: *J. S. Jones*
JASON S. JONES
Executive Director

CONSENTED TO: *Kenya Teems*
KENYA TEEMS
Applicant

[As to Applicant's signature only:]
Sworn to and subscribed before me
this 28 day of October, 2024.

Lisa Sheriff
NOTARY PUBLIC
My Commission Expires: 6/24/28

LISA SHERIFF
NOTARY PUBLIC
Gordon County
State of Georgia
My Comm. Expires June 24, 2028

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

IN THE MATTER OF:)
)
KYLE PATRICK WALSH) DOCKET NO:
 License No. 496,)
)
Reinstatement Applicant.)

GEORGIA COMPOSITE
MEDICAL BOARD

NOV 13 2024

DOCKET NUMBER:

20250028

CONSENT AGREEMENT FOR REINSTATEMENT

Pursuant to O.C.G.A. Title 43, Chapters 1 and 34, the Georgia Composite Medical Board ("Board"), in its discretion, has considered the reinstatement application for licensure of Kyle Patrick Walsh ("Applicant") to practice as an acupuncturist in the State of Georgia. In conjunction therewith, the Board hereby enters its Findings of Fact and Conclusions of Law as follows:

FINDINGS OF FACT

1.

On or about August 5, 2021, Applicant was issued a license to practice as an acupuncturist in the State of Georgia. On or about May 31, 2023, Applicant's license expired. On or about August 30, 2024, at the close of the late renewal cycle, Applicant's license lapsed for failure to renew.

2.

On or about August 14, 2024, Applicant submitted an application for reinstatement of Applicant's license to practice as an acupuncturist. While reviewing the application, it was discovered that Applicant had worked as an acupuncturist in Georgia after his license expired.

3.

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

CONCLUSIONS OF LAW

The unlicensed practice disclosed by Applicant is grounds for denial of licensure or licensure with discipline under O.C.G.A. Ch. 34, T. 43, as amended. Reinstatement of Applicant's license is within the discretion of the Board. 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 as an acupuncturist in the State of Georgia shall be reinstated, subject to the following terms:

1.

Applicant shall submit to the Board a fine of **seven hundred and fifty dollars (\$750.00)** to be paid in full by cashier's check or money order made payable to the Georgia Composite Medical Board within sixty (60) days of the effective date of this Consent Agreement. Said fine shall be sent to Georgia Composite Medical Board, 2 MLK Jr. Drive, SE, East Tower, 11th Floor, Atlanta, Georgia 30334, to the attention of the Executive Director. Failure to pay the entire amount by the 60th day shall be considered a violation of this Agreement and shall result in further sanctioning of Applicant's licensure, including revocation, upon substantiation thereof.

2.

This Consent Agreement and dissemination thereof shall be considered a **PUBLIC REPRIMAND** of Applicant by the Board.

3.

The effective date of this Consent Order is the date the Consent Order is docketed. Applicant should receive a docketed copy of the Consent Order from the Board at the Applicant's

address and/or email address of record within ten (10) business days of the docket date. If Applicant has not received a docketed copy of the Consent Order, it is Applicant's responsibility to obtain a docketed copy of the Consent Order from the Board. Applicant must comply with the terms and conditions of the Consent Order beginning on the effective date.

4.

Applicant acknowledges that Applicant has read this Consent Agreement and understands its contents. Applicant understands that Applicant has the right to an appearance in this matter and freely, knowingly, and voluntarily waives that right by entering into this Consent Agreement. Applicant understands and agrees that a representative of the Department of Law may be present during the Board's consideration of this Consent Agreement and that the Board shall have the authority to review the investigative file and all relevant evidence in considering this Consent Agreement. Applicant further understands that this Consent Agreement will not become effective until approved and docketed by the Georgia Composite Medical Board. However, if this Consent Agreement is not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the Board to adjudicate this matter. Applicant hereby consents to the terms and sanctions contained herein.

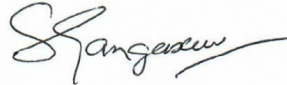
(Signature on following page)


Approved this 13th day of November, 2024.


GEORGIA COMPOSITE MEDICAL BOARD

(BOARD SEAL)




BY: 
SREENIVASULU GANGASANI, MD
Chairperson

ATTEST: 
JASON S. JONES
Executive Director

CONSENTED TO: 
KYLE PATRICK WALSH
Applicant

[As to Applicant's signature only:]
Sworn to and subscribed before me
this 6 day of November 2024.


NOTARY PUBLIC
My Commission Expires:



ELLA BOLT
NOTARY PUBLIC
Cherokee County
State of Georgia
Comm. Expires Jan. 15, 2028

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD
STATE OF GEORGIA

IN THE MATTER OF:

LEE BRIAN BRANDT, JR., P.A.,
License No. 3438,

Respondent.

*
*
*
*
*

DOCKET NO:

GEORGIA COMPOSITE
MEDICAL BOARD

NOV 21 2024

DOCKET NUMBER:
10240033

PUBLIC CONSENT ORDER

By agreement of the Georgia Composite Medical Board ("Board") and LEE BRIAN BRANDT, JR., P.A. ("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.

FINDINGS OF FACT

1.

Respondent is licensed to practice as a physician assistant in the State of Georgia and was so licensed at all times relevant to the matters asserted herein.

2.

On or about December 13, 2022, at approximately 10:12 AM, Respondent was arrested for DUI by the Cherokee Sheriff's Office. Respondent has a substance abuse history, including alcoholism treatment, since 2010, previous arrests for DUI, prior Board Agreements not to Practice as a physician assistant, and Consent Orders with monitoring requirements due to his alcoholism.

3.

A mental and physical evaluation (“MPE”) was conducted from January 16, 2024 through April 30, 2024. The evaluating physician found Respondent was unsafe to practice, and Respondent entered the Georgia PHP. Subsequently, Respondent has been dismissed from the Georgia PHP. On or about July 29, 2024, Respondent completed a second MPE. The evaluating physician found Respondent may be safe to practice with the below recommendations.

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, if proven, constitutes sufficient grounds for the imposition of discipline upon his license to practice as a licensed physician assistant 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 surrounding this case, hereby orders, and Respondent hereby agrees, that his license to practice as a physician assistant in the State of Georgia shall be placed on a probationary status, subject to the following terms and conditions:

1. Within **thirty (30) days** of the docket date of this order, Respondent shall enroll in an **outpatient addiction individual therapy program and a 12-step addiction group therapy program**, said programs to be pre-approved by the Board, and costs of said programs to be paid by the Respondent. Respondent

shall sign any necessary waivers to allow the Board to have access to his therapy records. Furthermore, Respondent shall provide a copy of this order to his therapists and shall cause such individuals to submit quarterly reports to the Board by March 31, June 30, September 30, and December 31, commencing on the first reporting date following the effective date of this Order and continuing until completion of the above programs. The receipt of a report from the Respondent's therapists that the Respondent has failed to comply with the programs of therapy, including discharge from said therapy programs, or that the Respondent is otherwise unable to practice with reasonable skill and safety shall be grounds for further disciplinary action. Upon completion of the outpatient addiction individual therapy program and 12-step addiction group therapy program, Respondent shall submit proof of completion to the Board for verification. **Respondent shall continue in said programs until released by the Board by written notice.** Furthermore, Respondent shall complete any aftercare recommended by his outpatient addiction individual therapy program and 12-step addiction group therapy program and shall submit documentation indicating completion of aftercare recommendations. Failure to submit documentation that Respondent has completed aftercare shall be grounds for disciplinary action.

a. **Prior to returning to work,** Respondent shall create a relapse prevention plan and present the same for approval by the Board. **Respondent shall not return to work without prior approval of the Board.**

2. Throughout the period of probation, Respondent shall completely abstain from the consumption of alcohol, mood altering substances, and shall abstain from the

consumption of controlled substances, except as prescribed by a duly licensed practitioner for a legitimate purpose. Should the Respondent be prescribed any controlled substances, a written report from the prescribing physician shall be submitted to the Board within ten (10) days of the prescribing thereof. **The Respondent must use caution when consuming or using products that contain alcohol, THC, Kratom, and/or opioids. These products may produce a positive result on a toxicology screen and will be considered a positive drug test in violation of the terms of this Order. Examples of these products include foods containing alcohol, such as vanilla extract, wine vinegar, and kombucha drinks; hygiene products containing alcohol such as mouthwashes and hand sanitizers; OTC medications containing alcohol such as Nyquil and Diphenhydramine Elixir; products containing THC such as CBD oil and Hemp oil, and foods containing opiates such as poppy seeds.**

3. Within thirty (30) days of the docket date of this order, Respondent shall enroll and participate in a **random drug screening program**, pre-approved by the Board, at Respondent's expense, for the monitoring of random alcohol and drug screens throughout the period of probation. Respondent shall submit to **random urinalysis drug screens ("UDS"), to include ETG and ETS, twice monthly for the first twenty-four (24) months of probation and monthly thereafter while on probation and random monthly PEth testing while on probation.** Respondent shall provide a copy of this Order to the program chosen by Respondent and approved by the Board at the time of enrollment. Respondent shall be screened for alcohol and any controlled substance for which Respondent

has not provided a prescription. Respondent shall cause the drug screening monitoring program chosen by the Respondent and approved by the Board to provide **quarterly reports** to the Board by March 31, June 30, September 30, and December 31, commencing on the first reporting date following the effective date of this Order and continuing throughout the period of probation. Receipt of a positive alcohol and/or drug screen by the Board and/or a failure to participate in a monitoring program that has been approved by the Board shall be deemed to be a violation of this Consent Order and will subject the Respondent to disciplinary action, including revocation. The Respondent acknowledges and agrees that all of the Respondent's alcohol/drug screen reports received by the Board during the period of probation shall be admissible in any administrative hearing concerning the Respondent, without the necessity of establishing chain of custody or receiving other supporting testimony.

4. Respondent shall regularly attend AA meetings, specifically a healthcare professional recovery meeting, such as Caduceus, and, upon request of the Board, provide written proof of regular attendance. Additionally, if requested by the Board, **Respondent shall be subject to reporting via SoberLink**, or a similar monitoring program, in addition to the random drug screening program listed in paragraph (3). Failure to provide proof of regular attendance of AA meetings or to allow reporting via SoberLink, or a similar monitoring program, if requested by the Board, shall subject the Respondent's license to suspension or revocation.
5. **Prior to returning to work**, Respondent shall provide his employer with a copy of this Order. The Respondent shall cause such employer, specifically an on-site

physician, to submit quarterly reports to the Board by March 31, June 30, September 30, and December 31, commencing on the first reporting date following the effective date of this Order and continuing throughout the period of probation. Each report shall evaluate the Respondent's performance of Respondent's duties and verify that Respondent maintains sobriety. The receipt of an unfavorable report shall be deemed a violation of this Order and, upon substantiation thereof, shall be grounds for sanction or revocation of Respondent's license. Respondent is under a continuing duty to provide a copy of this Consent Order to any new employer **prior to accepting new employment.**

6. Respondent shall use a chaperone with all patients on whom he conducts a sensitive examination. Respondent shall not supervise students or trainees.
7. Within **ninety (90) days** of the docket date of this order, Respondent shall complete a boundaries course and submit documentation of completion to the Board. The following courses are pre-approved by the Board: 1. Professional Boundaries Inc., University of Alabama, 850-654-6939, www.professionalboundaries.com, 2. Center for Professional Health, 1107 Oxord House, Nashville, TN 37232, 615-936-0678, www.mc.vanderbilt.edu, and 3. Case Western Reserve University, School of Medicine, Cleveland, Ohio 44106, 216-368-2000, <http://casemed.case.edu/cme>. Any alternative courses must be pre-approved by the Board.
8. Within **thirty (30) days** of the docket date of this order, Respondent shall engage in individual therapy, said therapist to be pre-approved by the Board, and costs of individual therapy to be paid by the Respondent. Respondent shall sign any

necessary waivers to allow the Board to have access to his therapy records.

Furthermore, Respondent shall provide a copy of this order to his therapist and shall cause such individual to submit quarterly reports to the Board by March 31, June 30, September 30, and December 31, commencing on the first reporting date following the effective date of this Order and continuing throughout the period of probation or until released by the therapist. If released by the therapist, Respondent shall submit documentation from the therapist indicating it is his/her opinion that Respondent no longer requires individual therapy and is safe to practice as a physician assistant without individual therapy. **Respondent shall continue with individual therapy until released by the Board by written**

notice. The receipt of a report from the Respondent's therapist that the Respondent has failed to comply with the program of therapy or that the Respondent is otherwise unable to practice with reasonable skill and safety shall be grounds for further disciplinary action.

9. Respondent shall address any medical issues with a primary care provider, and, if requested by the Board, provide documentation from his primary care provider indicating Respondent does not suffer from any medical issues that would cause him to be unsafe to practice as a physician assistant.

2.

Respondent shall not be eligible to petition for termination of the period of probation until Respondent can document **five (5) years** of continuous sobriety immediately preceding the petition. At such time, Respondent may petition for termination by certifying under oath before a notary public that Respondent has complied with all conditions of the period of probation and by

providing documentation supporting discharge from the period of probation, including but not limited to, an additional mental and physical evaluation which contains a safe to practice statement from an evaluating physician pre-approved by the Board. The Board shall review and evaluate the practice of Respondent prior to terminating the period of probation. At such time, should the Board determine that reasonable cause exists for maintaining probation on Respondent's license, the Board shall notify Respondent of its intent to extend the period of probation, and Respondent may respond to such notice in writing or request an appearance before the Board as in a non-contested case. In any event, this Consent Order shall remain in effect pending a final written determination by the Board and notification that the period of probation has been terminated.

3.

If the Respondent shall fail to abide by all state and federal laws relating to drugs and regulating the practice of medicine in the State of Georgia, the Rules and Regulations of the Georgia Composite Medical Board, the terms of this Consent Order, or if it should appear from reports submitted to the Board that the Respondent is unable to practice as a physician assistant with reasonable skill and safety, Respondent's license may be further sanctioned or revoked, upon substantiation thereof.

4.

Respondent acknowledges that he has read this Consent Order and understands its contents. Respondent understands that this Consent Order will not become effective until approved by the Georgia Composite Medical Board and docketed by the Board. 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 understands that this Consent Order, once approved and docketed, shall constitute a public record, evidencing

disciplinary action by the Board. However, if the Consent Order is not approved, it shall not constitute an admission against interest in this proceeding or prejudice the Board's ability to adjudicate this matter. Respondent understands that, by entering into this Consent Order, Respondent may not be eligible for a multistate license. The Respondent hereby consents to the terms and sanctions contained herein.

Approved this 21st day of November, 2024.



GEORGIA COMPOSITE MEDICAL BOARD

BY:

Handwritten signature of Sreenivasulu Gangasani, MD.

SREENIVASULU GANGASANI, MD
Chairperson

ATTEST:

Handwritten signature of Jason S. Jones.

JASON S. JONES
Executive Director

CONSENTED TO:

Handwritten signature of Lee Brian Brandt, Jr., P.A.
LEE BRIAN BRANDT, JR., P.A.
Respondent

[As to the Signature of Lee Brian Brandt, Jr., P.A.]
Sworn to and subscribed before me
this 1 day of OCTOBER, 2024.

Handwritten signature of the Notary Public.
NOTARY PUBLIC
My Commission Expires: 8/4/28



MATHEW P DUNN
Notary Public
State Of Georgia
Cherokee County
Commission Expires: Aug 4, 2028

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD
STATE OF GEORGIA

IN THE MATTER OF:

NEIL KAMAL SINHA, M.D.,
License No. 65183,

Respondent.

*
*
*
*
*
*

DOCKET NO:

GEORGIA COMPOSITE
MEDICAL BOARD

NOV 13 2024

DOCKET NUMBER:

10230016

PUBLIC CONSENT ORDER

By agreement of the Georgia Composite Medical Board (“Board”) and NEIL KAMAL SINHA, 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.

FINDINGS OF FACT

1.

Respondent is licensed to practice medicine as a physician in the State of Georgia and was so licensed at all times relevant to the matters asserted herein.

2.

In and before October 2020, Respondent saw Patient K.W. for treatment of fatigue, anxiety, and depression. In February 2021, Respondent saw Patient K.W.’s mother as a patient. During the visit, Patient K.W.’s mother made statements to Respondent that she thought Respondent and Patient K.W. should go biking together. Thereafter, Respondent behaved inappropriately towards Patient K.W. Specifically, Respondent left a letter for Patient K.W. at Patient K.W.’s house.

3.

Respondent neither admits nor denies 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, if proven, constitutes sufficient grounds for the imposition of discipline upon his license to practice as a licensed 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

1.

The Board, having considered all the facts and circumstances surrounding this case, hereby orders, and Respondent hereby agrees, that his license to practice medicine as a physician in the State of Georgia shall be placed on a probationary status for a period of **one (1) year**, subject to the following terms and conditions:

1. Probation. Within **sixty (60) days** from the scheduled date of termination of probation, Respondent may petition for termination of probation by certifying under oath before a notary public that Respondent has complied with all conditions of probation and by providing documentation supporting discharge from probation. The Respondent may be required to appear before the Board, or a committee thereof, in its consideration of his request to terminate probation. The Board shall be authorized to review and evaluate the practice of Respondent prior to lifting the probationary status of Respondent's license. At such time, the Board shall be authorized to restore all rights and privileges incident to the license of Respondent,

unless it extends, maintains, or imposes such restrictions or conditions as the Board deems appropriate, based upon the information presented to it pursuant to this Consent Order or otherwise available to the Board. The Board shall notify Respondent of its intent to extend, maintain, or impose such restrictions or conditions beyond the designated probationary period, and Respondent may respond to such notification in writing or request an appearance before the Board or its representatives as in a non-contested case. This Consent Order shall remain in effect pending a final determination by the Board and notification that the probationary period has terminated. Specifically, the Respondent shall comply with the terms and conditions of this Consent Order until such time as Respondent has been notified that his probationary period has been terminated.

2. Boundaries Course. Respondent shall complete an **intensive boundaries course**. The Board notes that Respondent has submitted documentation that he has completed an intensive boundary course with Vanderbilt University, which satisfies this condition of probation.
3. Individual Therapy and Quarterly Reports. Respondent shall enroll himself in individual therapy with a licensed therapist and/or licensed psychologist within **sixty (60) days** of docketing of this Consent Order. Respondent shall cause his therapist/psychologist to send **quarterly reports** to the Board by March 31, June 30, September 30, and December 31, commencing on the first reporting date following the effective date of this Order and until Respondent is released from therapy by the Board. Said reports shall certify that Respondent is actively participating in therapy and remains safe to practice medicine. Reports may be sent

to Latisha Bias, Director of Compliance, via email to latisha.bias@dch.ga.gov, or as otherwise directed by the Board. Respondent shall remain in individual therapy until released by the Board. To be released by the Board, Respondent shall direct his therapist/psychologist to send a letter to the Board indicating that the therapist/psychologist believes the Respondent no longer needs to participate in individual therapy and that the therapist/psychologist believes Respondent is safe to practice medicine. **Respondent shall remain in therapy until released by written notification of the Board.** Respondent shall sign any waivers necessary to allow the Board to monitor his continued enrollment and progress in therapy. **Respondent understands failure to enroll in and continue in individual therapy shall be a violation of this Consent Order, and Respondent shall be subject to disciplinary action, including revocation of his license.**

4. Primary Physician. Within **ninety (90) days** of docketing of this Consent Order, Respondent shall be examined by his primary care physician and cause his primary care physician to submit to the Board a letter certifying the primary care physician believes the Respondent is safe to practice medicine. The certifying letter may be sent to Latisha Bias, Director of Compliance, via email to latisha.bias@dch.ga.gov, or as otherwise directed by the Board.

2.

In addition to and in conjunction with any other sanction contained herein, this Consent Order and dissemination thereof shall serve as a **PUBLIC REPRIMAND** to the Respondent for Respondent's conduct.

3.

If the Respondent shall fail to abide by all state and federal laws relating to drugs and regulating the practice of medicine in the State of Georgia, the Rules and Regulations of the Georgia Composite Medical Board, the terms of this Consent Order, or if it should appear from information received by the Board that the Respondent is unable to practice as a physician with reasonable skill and safety, Respondent's license may be further sanctioned or revoked, upon substantiation thereof.

4.

Respondent acknowledges that he has read this Consent Order and understands its contents. Respondent understands that this Consent Order will not become effective until approved by the Georgia Composite Medical Board and docketed by the Board. 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 understands that this Consent Order, once approved and docketed, shall constitute a public record, evidencing disciplinary action by the Board. However, if the Consent Order is not approved, it shall not constitute an admission against interest in this proceeding or prejudice the Board's ability to adjudicate this matter. Respondent understands that, by entering into this Consent Order, Respondent may not be eligible for a multistate license. The Respondent hereby consents to the terms and sanctions contained herein.

Approved this 13th day of November, 2024.

[SIGNATURES ON FOLLOWING PAGE]



GEORGIA COMPOSITE MEDICAL BOARD

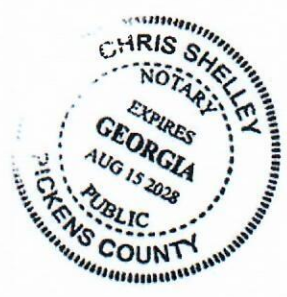
BY: *S. Gangadur*
SREENIVASULU GANGASANI, MD
Chairperson

ATTEST: *J. S. Jones*
JASON S. JONES
Executive Director

CONSENTED TO: *Neil Kamal Sinha*
NEIL KAMAL SINHA, M.D.
Respondent

[As to the Signature of Neil Kamal Sinha, M.D.]
Sworn to and subscribed before me
this 1 day of NOV, 2024.

Chris Shelley
NOTARY PUBLIC
My Commission Expires: Aug 15 2028



BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD
STATE OF GEORGIA

IN THE MATTER OF:

SINAN HADDAD, MD,
License No. 56455,

Respondent.

*
*
*
*
*
*

DOCKET NO:

PUBLIC CONSENT ORDER

By agreement of the Georgia Composite Medical Board (“Board”) and SINAN HADDAD, MD (“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.

FINDINGS OF FACT

1.

Respondent is licensed to practice medicine as a physician in the State of Georgia and was so licensed at all times relevant to the matters asserted herein.

2.

On or about July 23, 2023, Respondent oversaw a hands-on training wherein medical assistants were allowed to perform RF microneedling on students in exchange for \$75.00 for each microneedling procedure. Respondent was present, in person, supervising the procedures. The medical assistants did not have any Board recognized licensures. Respondent did not know at the time that RF microneedling required a separate license for the medical assistants, who had received training from the equipment provider.

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, if proven, constitutes sufficient grounds for the imposition of discipline upon his license to practice as a licensed 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

1.

The Board, having considered all the facts and circumstances surrounding this case, hereby orders, and Respondent hereby agrees, that his license to practice medicine as a physician in the State of Georgia shall be subject to the following terms and conditions:

1. Fine. Within **sixty (60) days** of the docket date of this Consent Order, Respondent shall submit to the Board a fine in the amount of **three thousand dollars (\$3,000.00)** to reimburse the Board for actual costs expended in this case. Such fine shall be payable by cashier's check or money order made payable to the Georgia Composite Medical Board and shall be submitted via mail to: Jason S. Jones, Executive Director, Georgia Composite Medical Board, 2 Martin Luther King Jr. Drive SE, East Tower, 11th Floor, Atlanta, GA 30334. **Failure to pay the fine within the stated time period shall be deemed a violation of this Consent Order and shall subject Respondent's license to further disciplinary action, including revocation.**

2. Coursework. Within **ninety (90) days** of the docket date of this Consent Order, Respondent shall complete **ten (10) hours** of continuing medical education (“CME”) hours on **ethics**. Said course shall not be used as CME hours for renewal. Documentation evidencing completion of coursework may be sent to Latisha Bias, Director of Compliance, via email to latisha.bias@dch.ga.gov, or as otherwise directed by the Board. **Failure to submit the required documentation, within the stated time period, shall be deemed a violation of this Consent Order and shall subject Respondent’s license to further disciplinary action, including revocation.**

2.

In addition to and in conjunction with any other sanction contained herein, this Consent Order and dissemination thereof shall serve as a **PUBLIC REPRIMAND** to the Respondent for Respondent’s conduct.

3.

If the Respondent shall fail to abide by all state and federal laws relating to drugs and regulating the practice of medicine in the State of Georgia, the Rules and Regulations of the Georgia Composite Medical Board, the terms of this Consent Order, or if it should appear from information received by the Board that the Respondent is unable to practice as a physician with reasonable skill and safety, Respondent's license may be further sanctioned or revoked, upon substantiation thereof.

4.

Respondent acknowledges that he has read this Consent Order and understands its contents. Respondent understands that this Consent Order will not become effective until

approved by the Georgia Composite Medical Board and docketed by the Board. 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 understands that this Consent Order, once approved and docketed, shall constitute a public record, evidencing disciplinary action by the Board. However, if the Consent Order is not approved, it shall not constitute an admission against interest in this proceeding or prejudice the Board's ability to adjudicate this matter. Respondent understands that, by entering into this Consent Order, Respondent may not be eligible for a multistate license. The Respondent hereby consents to the terms and sanctions contained herein.

Approved this 19th day of November, 2024.

GEORGIA COMPOSITE MEDICAL BOARD

BY:

SREENIVASULU GANGASANI, MD
Chairperson

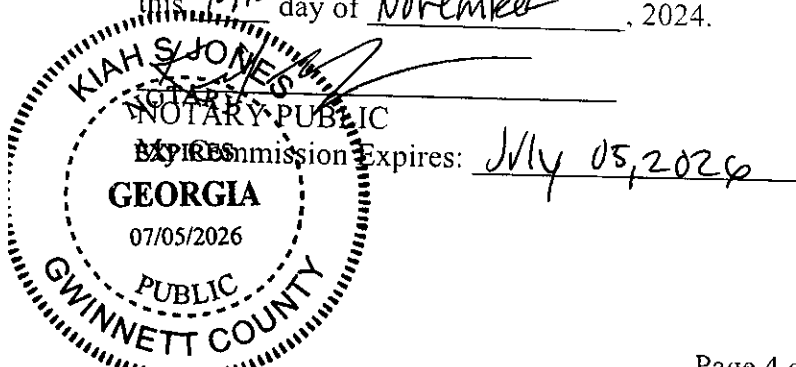
ATTEST:

JASON S. JONES
Executive Director

CONSENTED TO:

SINAN HADDAD, MD
Respondent

[As to the Signature of Sinan Haddad, MD]
Sworn and subscribed before me
this 19th day of November, 2024.



NOV 13 2024

DOCKET NUMBER:
10240064

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD
STATE OF GEORGIA

GEORGIA COMPOSITE MEDICAL BOARD,))	
Petitioner,))	OSAH Docket No. 2440716
v.))	2440716-OSAH-GCMB-PHY-43-
))	Schroer
VICTOR TSENG, M.D.,))	
Respondent.))	Agency Reference No.: 81169

FINAL DECISION

An Initial Decision was issued by the Office of State of Administrative Hearings in the above matter on July 1, 2024. The Petitioner requested a review of the Initial Decision, and a review hearing was held before the Georgia Composite Medical Board (“Board”) on November 7, 2024. Jason S. Jones was the appointed hearing officer. At the review hearing, the Board was represented by Michelle Sawyer, Esq., Senior Assistant Attorney General, and the Respondent, Victor Tseng, M.D., was present and represented by Robert Rubin, Esq. and Foss Hodges, Esq. After hearing argument and testimony of the Respondent, the Board, after deliberation, finds as follows and enters this Order in the above-styled case.

FINDINGS OF FACT

The Findings of Fact entered by the Administrative Law Judge in the Initial Decision are adopted and incorporated by reference herein.

CONCLUSIONS OF LAW

The Conclusions of Law entered by the Administrative Law Judge in the Initial Decision are adopted and incorporated by reference herein, except Section C. The Board finds the evidence in the record proved that Dr. Tseng is a danger to the public and may not safely practice medicine.

DECISION AND ORDER

The Board hereby rejects the recommendation of the Administrative Law Judge and determines the Respondent's license to practice medicine in the State of Georgia shall be hereby **REVOKED** and is hereby the Final Decision of the Board.

SO ORDERED, this 13th day of November, 2024.



GEORGIA COMPOSITE MEDICAL BOARD

A handwritten signature in black ink, appearing to read "S. Gangasani".

SREENIVASULU GANGASANI, M.D.
Chairperson

A handwritten signature in black ink, appearing to read "J. Jones".

JASON S. JONES
Executive Director

**BEFORE THE OFFICE OF STATE ADMINISTRATIVE HEARINGS
STATE OF GEORGIA**



07/01/2024

Devin Hamilton, Legal Assistant

**GEORGIA COMPOSITE
MEDICAL BOARD,
Petitioner,**

v.

**VICTOR TSENG, M.D.,
Respondent.**

**Docket No.: 2440716
2440716-OSAH-GCMB-PHY-43-Schroer**

Agency Reference No.: 81169

INITIAL DECISION

On April 8, 2024, the Georgia Composite Medical Board (“Petitioner” or “Board”) issued an Order of Summary Suspension, finding that Respondent Victor Tseng, M.D.’s continued practice of medicine posed a threat to the public health, safety, and welfare. The Board initiated this matter for the purpose of revoking Respondent’s medical license. An evidentiary hearing took place on the issue of the proposed revocation on May 23, 2024, before the undersigned administrative law judge. The Board was represented by Michelle Sawyer and Sandra Bailey, Assistant Attorneys General. Dr. Tseng was represented by Robert Rubin, Esq., and Foss Hodges, Esq. The record closed on May 29, 2024, after the parties submitted a written stipulation, and the deadline for issuing the decision was set as July 1, 2024.

I. FINDINGS OF FACT

A. Introduction

Dr. Tseng is a physician. By all accounts, he has been an exceptional clinician, as well as a dedicated researcher who has contributed valuable findings to the field of pulmonary hypertension, a lethal disease. Dr. Tseng also suffers from a severe form of obsessive-compulsive disorder (“OCD”). As explained below, Dr. Tseng’s OCD includes anxiety borne from an extreme revulsion for pedophilia and an irrational fear that he might be attracted to children. In response

to this fear, Dr. Tseng checked his reaction to downloaded images of child pornography on three occasions in 2019 and 2020 to assure himself that he was not attracted to such images. When law enforcement was alerted to this activity in June 2020, they interviewed Dr. Tseng, and he admitted his actions, was arrested, and thereafter sought intensive treatment from a clinic at Emory University School of Medicine that specializes in OCD and anxiety disorders. According to his treatment provider and other medical professionals, Dr. Tseng's ability to safely and competently practice medicine has not been impaired by this mental health disorder, and over the past four years, he has successfully completed treatment, continues to follow the recommendations of his treatment providers, and has worked effectively as a medical director of a telehealth practice for the two years prior to the Order of Summary Suspension.

Dr. Tseng does not contest the Board's authority to discipline his license under the circumstances. However, he seeks a sanction short of revocation that would allow him to continue practicing medicine under reasonable restrictions. The Board objects to a restricted license and argues that the seriousness of the charges merit revocation. After careful consideration of the evidence of record in this case, and for the reasons stated below, the undersigned recommends that Dr. Tseng's license to practice medicine in Georgia be restricted, not revoked.

B. Dr. Tseng's Educational and Professional Background

1.

Dr. Tseng has been licensed by the Board to practice as a physician in the State of Georgia since 2018. Dr. Tseng received his undergraduate degree from the University of Washington in 2007 and his medical degree from the University of Wisconsin School of Medicine and Public Health in 2012. From 2012 to 2015, Dr. Tseng was an internal medicine resident at Emory University School of Medicine, during which time he was named Outstanding Resident of the Year in both 2014 and 2015. From 2016 to 2018, he completed two years of post-doctoral medical

research in pulmonary and critical care at the University of Colorado School of Medicine. During his academic career, he earned numerous awards and scholarships, and he is Board-certified in the areas of Pulmonary and Critical Care and Internal Medicine. In 2018, Dr. Tseng returned to Georgia and began working as a clinician in the ICU at the Atlanta Veterans Affairs (“V.A.”) Medical Center, providing critical care to veterans, as well as conducting research on pulmonary hypertension through the V.A. and Emory.

2.

Charles Michael “Mike” Hart, M.D., is a Professor of Medicine at Emory and Associate Chief of Staff for Research at the Atlanta V.A. Medical Center. He is a Pulmonary Critical Care specialist. Dr. Hart has known Dr. Tseng since approximately 2018 and served as his research mentor. At the administrative hearing, Dr. Hart described Dr. Tseng as brilliant, meticulous, and unusually competent for this stage of his career. He considers Dr. Tseng “one of the smartest people” he knows and a “remarkable clinician.” Dr. Hart testified that through his research, Dr. Tseng has provided “significant insights” into the understanding of pulmonary hypertension.

3.

Eva Nozik, M.D., has been on the faculty of the University of Colorado School of Medicine for thirty years as a Pediatrics-Critical Care Professor and former Fellowship Director. From 2016 to 2018, Dr. Tseng was a post-graduate fellow in Dr. Nozik’s research laboratory, and she was his mentor. Dr. Nozik saw Dr. Tseng on a daily basis in the lab, and she worked closely with Dr. Tseng in designing his research project on adult pulmonary hypertension. During his fellowship in the Nozik lab, Dr. Tseng did not do clinical work or see patients. His research involved studying and analyzing cell cultures and animal modeling. Dr. Nozik described Dr. Tseng as exceptional, kind, a vociferous reader, and a quick learner.

C. Dr. Tseng's Mental Health Condition

4.

Dr. Tseng is diagnosed with obsessive-compulsive disorder or OCD. He currently is in treatment with Dr. Andrew Sherrill, a clinical psychologist and Assistant Professor in the Department of Psychiatry and Behavioral Sciences at Emory University School of Medicine. Dr. Sherrill defines OCD as a mental health condition characterized by unwanted intrusive thoughts and irrational compulsive behaviors to attempt to remove those intrusive thoughts.¹ There are several sub-types of OCD, including anti-contamination OCD (the intrusive thoughts involve getting sick or making others sick) and anti-harm OCD (the intrusive thoughts involve fears that one might harm others or oneself). Compulsive behaviors may include “symmetry compulsion,” requiring doing things in pairs, or “checking compulsion,” requiring repeated checks to be sure, for example, that the oven is off or that no car accidents occurred while one was out driving.

5.

Similar to the anti-harm subset of OCD, is anti-pedophilia OCD, another subset. People suffering from this type of OCD are so extremely distressed and repulsed by the concept of sex with children, that they feel compelled to reassure themselves that they are not pedophiles. Their irrational compulsive behaviors may include ensuring they are not aroused by images of children, and they may avoid all interactions with children. Heterosexual men may even avoid dating petite women, and new parents may avoid changing their baby's diapers.

¹ Dr. Sherrill works in Emory's Adult OCD and Anxiety Intensive Program and was qualified to testify as an expert witness in the area of psychology, particularly in the diagnosis and treatment of anxiety disorders such as OCD. Although the term “OCD” is loosely used by the public, the disorder is uncommon, occurring in only 1% of the population. According to Dr. Sherrill, OCD can be “truly debilitating,” and Emory's program is designed to provide intensive treatment to patients diagnosed with OCD.

6.

Dr. Sherrill first saw Dr. Tseng as a patient in January 2020, when Dr. Tseng was 31 years old. He noted that Dr. Tseng's OCD had gone untreated for many years. According to Dr. Sherrill, although OCD typically appears during adolescence, it is not unusual for people to postpone treatment. Dr. Sherrill noted that Dr. Tseng's hands were extremely dry from compulsive handwashing, which is associated with anti-contamination OCD. During his initial meeting with Dr. Sherrill, Dr. Tseng did not disclose any information that might have suggested anti-pedophilia OCD; Dr. Sherrill explained that this reluctance is quite common and understandable. Dr. Tseng was added to the clinic's waitlist in January 2020.

7.

Kristine Vanicharoenkarn, M.D., is an allergist who currently works for a pharmaceutical company. She and Dr. Tseng are friends, and, prior to his diagnosis, she observed his OCD manifestations first-hand. They met when they were medical residents, and dated in 2014, 2015, and briefly in 2017. Dr. Vanicharoenkarn also lived with Dr. Tseng as a housemate from approximately 2017 until around 2020. During the years she interacted with Dr. Tseng, Dr. Vanicharoenkarn noticed, for example, that his hands were often chapped because he was washing them so much, and he frequently took two showers a day. He also used an inordinate number of paper towels to avoid touching certain things, particularly in the bathroom where his bathmat was covered in layers of paper towels. If Dr. Vanicharoenkarn happened to be wearing pajamas and Dr. Tseng was wearing work clothes, he would not hug her. Dr. Tseng could not buy a single tomato in a grocery store, but had to buy, for example, two or four of them. According to Dr. Vanicharoenkarn, these manifestations were much more common at home, and not so common in the workplace at the hospital.

D. Dr. Tseng's Possession of Child Pornography

8.

On June 24, 2020, Detective Casey Benton with the DeKalb Police Department executed a search warrant at the home where Dr. Tseng lived with Dr. Vanicharoenkarn and another housemate in Decatur, Georgia. Detective Benton, who investigates internet crimes against children, had discovered that someone using an I.P. address at the home had downloaded child pornography through a peer-to-peer file sharing network called BitTorrent in June 2019, September 2019, and February 2020. When Detective Benton interviewed Dr. Tseng on June 24, 2020, Dr. Tseng admitted using BitTorrent to download and view photographs and videos depicting children engaged in sexually explicit conduct, and Detective Benton testified that some of the downloaded material included violent depictions of rape and sodomy and involved children under the age of 10. In the interview, Dr. Tseng stated that he downloaded and viewed this material on a laptop that he stored in a closet upstairs, and that he did not save the material, but reset the laptop to factory settings after viewing the material. He told Detective Benton that he had severe OCD, and that the material “freaked me out so much I got into mental loops and started having to download a certain number of files until it meant that, basically sort of an obsession and a compulsion. And then as soon as I finished downloading that number of files, I completely purged everything.”

9.

According to Detective Benton, the police department's forensic experts did not find any of the downloaded images or videos on Dr. Tseng's laptop. Following the interview, later in June 2020, Dr. Tseng was arrested and charged with possession and distribution of child pornography.²

² Detective Benton testified that the criminal statute does not require that possession of child pornography be for a sexual purpose and that downloading the material on BitTorrent made it available to others to download, at least

Three years later, on or about May 9, 2023, a DeKalb County grand jury indicted Dr. Tseng on four felony counts of sexual exploitation of children for knowingly possessing child pornography.

E. Post-Arrest

1) Treatment for OCD

10.

Dr. Sherrill explained that “Exposure and Response Prevention” is a cognitive behavioral therapy that is a treatment for OCD. Patients are systematically and intentionally exposed to triggers to help them learn to tolerate the distress from intrusive thoughts and not engage in any compulsive behavior.³ Eventually, the intensity of the thoughts decreases, or the thoughts may even go away. The goal, however, is to reduce or eliminate the compulsive behaviors, because it is those behaviors that are so debilitating to the patient.

11.

Dr. Tseng contacted Dr. Sherrill after his arrest in June 2020 to seek treatment. Dr. Sherrill characterizes the arrest as a gift, because it allowed them to speak about the taboo intrusive thoughts that Dr. Tseng had originally held back during their previous appointment in January 2020. Moreover, having hit rock bottom, Dr. Tseng was willing to do whatever his treatment providers asked. He began an intensive outpatient treatment that focused on both his anti-contamination OCD and anti-pedophilia OCD. Initially, the therapy sessions took place daily for about three weeks. By design, the treatment becomes less intensive, eventually consisting of weekly appointments for about a year, then appointments every other week for the next six months.

before Dr. Tseng deleted the files. See O.C.G.A. § 16-12-100(b).

³ Of course, patients suffering from anti-pedophilia OCD are not exposed to child pornography as part of this treatment; the treatment involves controlled exposure to images of children in print advertisements, for example, and working with patients in therapy on strategies to decrease their anxiety and compulsive behaviors.

Currently, Dr. Tseng has check-ups about every three to six months. The therapy has been very successful.

2) Dr. Tseng's Fitness to Practice and Assessment of Risk

12.

The Board has stipulated that Dr. Tseng “has never committed a hands-on sexual offense involving minors,” and Dr. Sherrill stressed in his testimony that Dr. Tseng is not a pedophile. Dr. Sherrill has no concerns about Dr. Tseng’s ability to practice medicine safely and testified that Dr. Tseng continues to be a superior physician who cares deeply about his patients. Dr. Sherril further testified that he would be willing to do check-in sessions with Dr. Tseng and provide reports to the Board about Dr. Tseng’s continued treatment and prognosis, if requested.

13.

Dana Formon, Ph.D., is a clinical psychologist in private practice who conducts forensic evaluations, psychosexual evaluations, and risk assessments.⁴ Dr. Formon evaluated Dr. Tseng in April 2024, at the request of Dr. Tseng’s legal counsel. She found him to be consistent and forthcoming. The testing instruments did not indicate an attraction to children or related problematic beliefs. Dr. Formon concluded that there is little reason to worry that the offending behavior would occur again in the future. She also testified that she had not identified any significant functional impairments in his life or work that are a direct result of his anti-pedophilia OCD.

14.

Both of Dr. Tseng’s mentors, Dr. Hart and Dr. Nozik, also testified that Dr. Tseng could safely practice medicine. First, Dr. Hart testified that he learned about Dr. Tseng’s OCD shortly

⁴ Dr. Formon was qualified to testify as an expert witness in the identification and treatment of sex offenders.

after the arrest in June of 2020. Dr. Hart had not previously noticed any issues with Dr. Tseng's work that, in retrospect, may have been related to OCD. Although they no longer work side by side in a hospital setting, they continue to keep in touch. Dr. Hart continues to think highly of Dr. Tseng, and in his opinion, Dr. Tseng is able to practice medicine with appropriate skill and care. He hopes that Dr. Tseng has the opportunity to continue his contributions to the field. Similarly, Dr. Novik testified that Dr. Tseng's actions were the consequence of a mental health crisis, and that in her opinion it did not have a negative impact on his skills as a physician. She continues to respect Dr. Tseng and is willing to mentor him and advocate on his behalf. Dr. Novik, whose career work has related to the care of critically ill children, appeared to acknowledge that given the nature of the pending charges, it would be inappropriate for Dr. Tseng to work in a pediatric unit, although she testified that she would "easily" hire him again to work in her lab if he continued to show the same commitment to his treatment as he has over the past four years.

15.

Finally, Audra Doyle, a nurse practitioner from Roanoke, Virginia, appeared at the administrative hearing and testified regarding her work with Dr. Tseng following his arrest. For the past two years, Dr. Tseng has been the medical director of Ansible Health, a virtual telehealth company based in Virginia that provides healthcare to patients with chronic health problems, including pulmonary conditions, with the goal of keeping them out of the hospital. In his role as medical director, Dr. Tseng assisted with case management and supervision, and he also saw patients virtually. Ms. Doyle testified repeatedly that Dr. Tseng is the best and brightest physician she has ever worked with. She described him as an empathetic, diligent, and careful physician. She was aware of the pending criminal charges and Dr. Tseng's OCD diagnosis, and she testified that they did not affect his work or his ability to practice with the requisite skill and safety to

protect the public.

3) **Licensure with the Board**

16.

Following his arrest in June 2020, Dr. Tseng was terminated from his employment with Emory and the VA due to the pending charges. In 2021, in response to questions on his license renewal application, Dr. Tseng notified the Board of the pending charges. At that time, the Board did not automatically flag applications that disclosed pending criminal charges, and the Board renewed Dr. Tseng's license to practice medicine without considering Dr. Tseng's disclosures.⁵ In or around January 2024, Dr. Tseng submitted another renewal application, again disclosing the pending charges, and, for a second time, the Board renewed his license without reviewing his disclosure. A few months later, Dr. Tseng applied for and was granted a "compact license" from the Board, which would allow him to practice medicine in other states based on his primary license from Georgia under an Interstate Medical Licensure Compact. Shortly thereafter, an out-of-state medical board notified the Board that Dr. Tseng did not qualify for a compact license under the terms of the Compact because of the ongoing criminal investigation. According to the Board, it received this information from the out-of-state medical board on or about April 4, 2024, and the Board rescinded Dr. Tseng's compact license and voted to issue the Order of Summary Suspension that same day. In the Order of Summary Suspension, signed on April 8, 2024, the Board found that Dr. Tseng's "continued practice as a physician constitutes a threat to the public health, safety and welfare and imperatively requires emergency action" to summarily suspend his license.

⁵ According to Kimberly Emmelieux, Deputy Executive Director of the Board, the Board's system of review at that time only flagged answers on applications that disclosed a failure to fulfill the Board's citizenship or continuing education requirements. She testified that the Board was unaware of Dr. Tseng's pending charges despite his disclosure at the time his license was renewed.

At the administrative hearing before this Tribunal, Ms. Emmelieux testified that the Board did not consider anything short of a summary suspension, such as an order to undergo a psychosexual evaluation and risk assessment with a Board-approved evaluator, or an order limiting Dr. Tseng's practice to the treatment of adults or to telehealth services. In reaching its decision, Ms. Emmelieux testified that the Board considered the seriousness of the pending felony charges, the nature of his actions, and the Board's lack of resources to effectively monitor his compliance with restrictions to his license. Ms. Emmelieux admitted that the Board monitors other physicians whose licenses are subject to restrictions due to substance abuse, mental health problems, and professional boundary violations involving inappropriate sexual conduct, but she testified that monitoring is a lot of work for an agency with limited resources, and the Board has never monitored any licensee who has been placed on the sex abuse registry.⁶ Consequently, the Board contends that the summary suspension was proper, and that Dr. Tseng's license should be revoked.

III. CONCLUSIONS OF LAW

A. Applicable Statutory and Regulatory Provisions

1.

The Board bears the burden of proof in this matter. Ga. Comp. R. & Regs. 616-1-2-.07(1). The standard of proof is a preponderance of the evidence. Ga. Comp. R. & Regs. 616-1-2-.21(4).

2.

When a contested case is referred to the Office of State Administrative Hearings, the administrative law judge assigned to the case has "all the powers of the referring agency" O.C.G.A. § 50-13-41(b). The evidentiary hearing is *de novo*, and the administrative law judge

⁶ Dr. Tseng has not been tried or convicted of the pending charges, and his name is not currently on the sex abuse registry.

“shall make an independent determination on the basis of the competent evidence presented at the hearing.” Ga. Comp. R. & Regs. 616-1-2-.21(1).

3.

Georgia Code Section 43-34-8(a), which is the specific licensing and disciplinary statute for the medical profession, states, in relevant part, that the Board has the authority to discipline a licensee, upon a finding that the licensee has:

(4) Committed a crime involving moral turpitude, without regard to conviction
[. . .];

[. . .]

(7) Engaged in any unprofessional, unethical, deceptive, or deleterious conduct or practice harmful to the public, which need not have resulted in actual injury to any person [. . .];

[. . .]

(10) 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, when such 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 violates such law, rule, or regulation [...];

(11) Committed any act or omission which is indicative of bad moral character or untrustworthiness;

[. . .]

(13) (A) 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;

[. . .]

(17) Entered into conduct which discredits the profession[.]

O.C.G.A. § 43-34-8(a).

4.

Similarly, Georgia Code Section 43-1-19(a) provides in relevant part that a professional licensing board, including the Board, may revoke a license upon a finding that the licensee:

(6) Engaged in any unprofessional, immoral, unethical, deceptive, or deleterious conduct or practice harmful to the public that materially affects the fitness of the licensee or applicant to practice a business or profession licensed under this title or is of a nature likely to jeopardize the interest of the public; such conduct or practice need not have resulted in actual injury to any person or be directly related to the practice of the licensed business or profession but shows that the licensee or applicant has committed any act or omission which is indicative of bad moral character or untrustworthiness. [. . .];

[. . .]

(8) Violated a statute, law, or any rule or regulation of this state, any other state, the professional licensing board regulating the business or profession licensed under this title, the United States, or any other lawful authority without regard to whether the violation is criminally punishable when such statute, law, or rule or regulation relates to or in part regulates the practice of a business or profession licensed under this title and when the licensee or applicant knows or should know that such action violates such statute, law, or rule; or violated a lawful order of the board previously entered by the board in a disciplinary hearing, consent decree, or license reinstatement[.]

[. . .]

(10) Displayed an inability to practice a business or profession licensed under this title with reasonable skill and safety to the public or has become unable to practice the licensed business or profession with reasonable skill and safety to the public by reason of illness or the use of alcohol, drugs, narcotics, chemicals, or any other type of material[.]

OCGA § 43-1-19(a)(6), (8), (10).

5.

If the Board finds that a licensee should be disciplined under the provisions above, Georgia Code Section 43-34-8(b)(1) authorizes the Board to take one or more actions, including the following:

(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;

[. . .]

(K) Condition the penalty, or withhold formal disposition, which shall be kept confidential unless there is a public order upon the applicant, licensee, certificate holder, or permit holder's submission to the care, counseling, or treatment by physicians or other professional persons, which may be provided pursuant Code Section 43-34-5.1, 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.

O.C.G.A. § 43-34-8(b)(1).

6.

The statute governing all professional licensing boards also provides authority for the Board to impose sanctions upon finding that discipline of a licensee is warranted, including the following:

(1) Refuse to grant or renew a license to an applicant;

(2) Administer a public or private reprimand, but a private reprimand shall not be

disclosed to any person except the licensee;

(3) Suspend any license for a definite period or for an indefinite period in connection with any condition which may be attached to the restoration of such license;

(4) Limit or restrict any license as the board deems necessary for the protection of the public;

(5) Revoke any license;

(6) Condition the penalty upon, or withhold formal disposition pending, the applicant's or licensee's submission to such care, counseling, or treatment as the board may direct;

(7) Impose a fine not to exceed \$500.00 for each violation of a law, rule, or regulation relating to the licensed business or profession; or

(8) Impose on a licensee or applicant fees or charges in an amount necessary to reimburse the professional licensing board for the administrative and legal costs incurred by the board in conducting an investigative or disciplinary proceeding.

O.C.G.A. § 43-1-19(d).

B. Dr. Tseng's conduct violated statutory provisions governing the practice of medicine, and his license is subject to sanction.

7.

The Board has shown by a preponderance of the evidence that Dr. Tseng committed a crime of moral turpitude by knowingly possessing child pornography in violation of O.C.G.A. § 16-12-100(b). In addition, the evidence proved that Dr. Tseng's actions, regardless of his motivation, constituted unprofessional conduct that was harmful to the public,⁷ is "indicative of bad moral

⁷ Although Dr. Tseng's conduct was not a contact crime, and the parties stipulated that Dr. Tseng has never committed a hands-on sexual offense against a minor, intentionally downloading child pornography through peer-to-peer software, whatever the reason, is not a victimless crime. *See, e.g., New York v. Ferber*, 458 U.S. 746, 759 (1982) ("The materials produced are a permanent record of the children's participation and the harm to the child is exacerbated by their circulation.") (footnote omitted); *United States v. R.V.*, 157 F. Supp. 3d 207, 241-42 (E.D.N.Y. 2016) (quoting U.S. Sentencing Comm'n, *Report to Congress: Federal Child Pornography Offenses* (Dec. 2012) at 311, https://www.ussc.gov/sites/default/files/pdf/news/congressional-testimony-and-reports/sex-offense-topics/201212-federal-child-pornography-offenses/Full_Report_to_Congress.pdf("Child pornography offenses inherently involve the sexual abuse and exploitation of children. Victims are harmed initially during the production of child pornography, but the perpetual nature of the distribution of images on the Internet causes a significant, separate, and continuing

character or untrustworthiness,” and discredited the profession. Consequently, Dr. Tseng’s license is subject to discipline under Code Sections 43-34-8(a)(4), (7), (11), and (17).⁸

8.

Georgia courts have recognized that the state may regulate the conduct of those practicing medicine, in furtherance of the responsibility to protect the health and welfare of the public:

The right to practice medicine is a conditional right which is subordinate to the state’s power and duty to safeguard the public health, and it is the universal rule that in the performance of such duty and in the exercise of such power, the state may regulate and control the practice of medicine and those who engage therein, subject only to the limitation that the measures adopted must be reasonable, necessary, and appropriate to accomplish the legislature’s valid objective of protecting the health and welfare of its inhabitants.

Emory Univ. v. Porubiansky, 248 Ga. 391, 394 (1981) (quoting Geiger v. Jenkins, 316 F. Supp. 370, 373 (N.D. Ga. 1970)); cf. Ga. Real Estate Comm’n v. Peavy, 229 Ga. App. 201, 204 (1997) (“The focus of an administrative hearing [. . .] is to determine whether a violation occurred for the purpose of regulating a profession and protecting the public from those who fail to act in accordance with the standards adopted by that profession.”).⁹ See generally Yeargin v. Hamilton Memo’l Hospital, 225 Ga. 661, 665-666 (1969).¹⁰

harm to victims.”)).

⁸ The evidence did not prove that Dr. Tseng is unable to practice medicine with reasonable skill and safety to the public as provided in Code Sections 43-1-19(a)(10) and 43-34-8(a)(13)(A). Similarly, the Court concludes that the Board failed to prove that Dr. Tseng’s conduct “materially affects” his fitness to practice medicine under Code Section 43-1-19(a)(6) or that his conduct violated a statute, law, or rule that “relates to or in part regulates the practice” of medicine under Code Sections 43-34-8(a)(10) 43-1-19(a)(8). Accordingly, his license is not subject to discipline under these provisions.

⁹ The United States Supreme Court has similarly recognized the fundamental right of states to regulate the medical profession for the protection of their citizens. See Barsky v. Bd. of Regents, 347 U.S. 442, 449 (1954) (“It is elemental that a state has broad power to establish and enforce standards of conduct within its borders relative to the health of everyone there. It is a vital part of a state’s police power. The state’s discretion in that field extends naturally to the regulation of all professions concerned with health.”)

¹⁰ “Many of the occupations of life may be followed by persons, irrespective of fitness without danger to the public health, or any detriment to the general welfare; others demand special knowledge, training, or experience; and the power of the State to prescribe such restrictions and regulations for those as, in its judgment, shall protect the people from the consequences of ignorance or incapacity, as well as deception and fraud, has never been

C. **The evidence in the record proved that Dr. Tseng is not a danger to the public and may safely practice medicine under a restricted license.**

9.

Dr. Tseng presented un rebutted evidence from experts and members of the medical profession that he is competent and safe to practice medicine and that he does not present a risk to the public as a result of his conduct four years ago. It is likely and perhaps understandable that the Board, without the benefit of hearing the evidence presented at the administrative hearing, assumed a “strong nexus” between possession of child pornography and pedophilia or child molestation, and acted to protect the public by issuing the Order of Summary Suspension in April 2024 when it belatedly discovered the pending charges. See United States. v. R.V., 157 F. Supp. 3d at 238, citing United States v. Brand, 467 F.3d 179, 198 (2d Cir. 2006).¹¹ However, the Court has carefully considered the evidence in the records of the instant case, and concludes that Dr. Tseng’s actions in 2019 and 2020 were a result of untreated, severe OCD, and that he has now successfully completed intensive therapeutic treatment and been determined by two experts – Drs. Sherill and Forman – to be safe to practice with the requisite skill and safety, notwithstanding his past conduct. The Court further credits the testimony of Drs. Hart and Nozik, Dr. Tseng’s former colleagues and mentors, as well as the testimony of his current colleague, Ms. Doyle, regarding Dr. Tseng’s

questioned. This is especially true with respect to the practice of medicine.” Id. Cf. Raffensperger v. Jackson, 316 Ga. 383 (2023) (Georgia Lactation Consultant Practice Act violated the due process right to practice one’s chosen profession free from unreasonable government restriction). See generally Nadia N. Sawicki, *Character, Competence, and the Principles of Medical Discipline*, 13 J. Health Care L. & Pol’y 285, 295 (2010) (“Unlike criminal law, which is aimed at punishing wrongdoers, or civil law, which is aimed a victim compensation, professional discipline seeks to protect public welfare by incapacitating or rehabilitating dangerous physicians.”).

¹¹ The federal district court in United States v. R.V., discussed the disagreement in the research “over the extent of overlap between child pornography offenders and pedophilia, as well as child pornography offenders and contact sexual offenders.” R.V., 157 F. Supp. 3d at 239. This Court does not make any findings on these issues because neither party presented any probative evidence on these questions as a general matter. Dr. Tseng did, however, present persuasive evidence from credible experts in the fields of psychology, OCD, and the identification of sex offenders, that there is not an overlap in his case, and that Dr. Tseng does not present a risk to reoffend or to harm children as a result of his conduct four years ago.

competence as a clinician and his contributions to the field of medicine. Finally, the Court has considered the Board's reluctance to monitor compliance with a restricted license and its focus on its mission to protect the public and preserve the dignity and public trust in the profession. Having weighed all these factors, the Court concludes that revocation is not the appropriate sanction at this time. Instead, the Court recommends that the Board impose the following disciplinary measures:

- 1) Dr. Tseng's license to practice medicine should be restricted to treating patients who are over the age of eighteen;
- 2) Until the resolution of the pending criminal charges, Dr. Tseng's practice should be limited to providing telehealth services to patients over the age of eighteen or supervisory or consultative services to other medical professionals relating to such patients;
- 3) Dr. Tseng should continue treatment with the Emory OCD Program, or another similar program approved by the Board, and such program must provide periodic reports to the Board regarding his progress, prognosis, and ongoing treatment in the format and on a schedule set by the Board;
- 4) At the Board's request, Dr. Tseng shall undergo periodic polygraph tests or other appropriate evaluation or testing, at his own expense and by personnel approved by the Board, and the results of such testing shall be provided promptly to the Board;
- 5) Dr. Tseng should receive a public reprimand for the conduct giving rise to the pending charges; and
- 6) Dr. Tseng should pay an appropriate fine to cover the expense to the Board to bring this disciplinary action.

IV. DECISION

For the reasons herein and based on the evidence of record in this case, the undersigned **RECOMMENDS** that Respondent's license to practice medicine in the State of Georgia be sanctioned as set forth above.

SO ORDERED, this 1st day of July, 2024.

Kimberly W. Schroer

Kimberly W. Schroer
Administrative Law Judge



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

IN THE MATTER OF:)
)
WILHMENIA SINGLETON BAILEY) DOCKET NO:
PA-C License No. 2126,)
)
Reinstatement Applicant.)

GEORGIA COMPOSITE
MEDICAL BOARD
NOV 04 2024
DOCKET NUMBER:
20250021

CONSENT AGREEMENT FOR REINSTATEMENT

Pursuant to O.C.G.A. Title 43, Chapters 1 and 34, the Georgia Composite Medical Board ("Board"), in its discretion, has considered the reinstatement application for licensure of Wilhmenia Singleton Bailey, ("Applicant"), to practice as a physician assistant in the State of Georgia. In conjunction therewith, the Board hereby enters its Findings of Fact and Conclusions of Law as follows:

FINDINGS OF FACT

1.

On or about February 8, 1990, Applicant was issued a license to practice as a physician assistant in the State of Georgia. On or about January 31, 2024, Applicant's license expired. On or about April 30, 2024, at the close of the late renewal cycle, Applicant's license lapsed for failure to renew.

2.

On or about June 21, 2024, Applicant submitted an application for reinstatement of Applicant's license to practice as a physician assistant. While reviewing the application, it was discovered that Applicant had worked as a physician assistant in Georgia after her license expired.

3.

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

CONCLUSIONS OF LAW

The unlicensed practice disclosed by Applicant is grounds for denial of licensure or licensure with discipline under O.C.G.A. Ch. 34, T. 43, as amended. Reinstatement of Applicant's license is within the discretion of the Board. 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 as a physician assistant in the State of Georgia shall be reinstated, subject to the following terms:

1.

Applicant shall submit to the Board a fine of **five hundred dollars (\$500.00)** to be paid in full by cashier's check or money order made payable to the Georgia Composite Medical Board within sixty (60) days of the effective date of this Consent Agreement. Said fine shall be sent to Georgia Composite Medical Board, 2 MLK Jr. Drive, SE, East Tower, 11th Floor, Atlanta, Georgia 30334, to the attention of the Executive Director. Failure to pay the entire amount by the 60th day shall be considered a violation of this Agreement and shall result in further sanctioning of Applicant's licensure, including revocation, upon substantiation thereof.

2.

This Consent Agreement and dissemination thereof shall be considered a **PUBLIC REPRIMAND** of Applicant by the Board.

3.

The effective date of this Consent Order is the date the Consent Order is docketed. Applicant should receive a docketed copy of the Consent Order from the Board at the Applicant's address and/or email address of record within ten (10) business days of the docket date. If Applicant has not received a docketed copy of the Consent Order, it is Applicant's responsibility to obtain a docketed copy of the Consent Order from the Board. Applicant must comply with the terms and conditions of the Consent Order beginning on the effective date.

4.

Applicant acknowledges that Applicant has read this Consent Agreement and understands its contents. Applicant understands that Applicant has the right to an appearance in this matter and freely, knowingly, and voluntarily waives that right by entering into this Consent Agreement. Applicant understands and agrees that a representative of the Department of Law may be present during the Board's consideration of this Consent Agreement and that the Board shall have the authority to review the investigative file and all relevant evidence in considering this Consent Agreement. Applicant further understands that this Consent Agreement will not become effective until approved and docketed by the Georgia Composite Medical Board. However, if this Consent Agreement is not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the Board to adjudicate this matter. Applicant hereby consents to the terms and sanctions contained herein.

(Signature on following page)

Approved this ^{4th} ~~31~~ day of ^{November} ~~October~~, 2024.

GEORGIA COMPOSITE MEDICAL BOARD



BY: *S. Gangasani*
SREENIVASULU GANGASANI, MD
Chairperson

ATTEST: *J. S. Jones*
JASON S. JONES
Executive Director

CONSENTED TO: *Wilhmenia S. Bailey PA-C*
WILHMENIA SINGLETON BAILLY, PA-C
Applicant

[As to Applicant's signature only:]
Sworn to and subscribed before me
this 31 day of October, 2024.

P. Johannesen
NOTARY PUBLIC
My Commission Expires:

