

## August 2020 Public Board Actions List

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

The Board issued **six** public orders in **August 2020**. To view each Board order, click on the licensee's name below.

1. **Rajae A. Janho, MD**  
35272  
Physician  
Public Consent Order

2. **Yong Jian Liu, MD**  
52409  
Physician  
Public Consent Order

3. **Kang Lu, MD**  
67359  
Physician  
Voluntary Surrender

4. **Jody Helen Meek, PA**  
6581  
Physician Assistant  
Interim Consent Order

5. **Timothy Rogers Mulligan, MD**  
30354  
Physician  
Public Consent Order

6. **Sidney P. Smith, MD**  
38615  
Physician  
Public Consent Order

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

IN THE MATTER OF: )

RAJAE A. JANHO, M.D. )

License No.: 35272 )

Respondent. )

DOCKET NO.: \_\_\_\_\_

GEORGIA COMPOSITE  
MEDICAL BOARD

AUG 17 2020

DOCKET NUMBER:  
20210006

**PUBLIC CONSENT ORDER**

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

**FINDING OF FACT**

1.

Respondent is licensed to practice medicine in the State of Georgia and was licensed at all times relevant to the matters stated herein. His license expires on June 30, 2021.

2.

On May 23, 2014, Respondent performed a gluteal augmentation procedure on patient M.B., during which he inserted gluteal implants.

3.

M.B.'s medical records did not contain a discharge order or an evaluation by Respondent or any other physician prior to her discharge.

4.

On the evening of May 23, 2014, after M.B. was discharged from the surgical center, while in her residence, she fainted and fell on her buttock, and experienced immediate pain in her gluteal region.

5.

M.B. was seen by Respondent who evaluated the gluteal implant and determined it to be intact. However, Respondent failed to document any neuromuscular exam of M.B.'s lower extremity.

6.

On November 6, 2014, for no additional charge, Respondent exchanged the gluteal implants with two new implants of a different shape to minimize M.B.'s discomfort and to maximize the cosmetic effect desired by M.B.

7.

During both procedures, Dr. Janho used gluteal implants made by Lifesil<sup>1</sup>, a Brazilian company that manufactures body enhancement devices, which are certified by Agência Nacional de Vigilância Sanitária (ANVISA),<sup>2</sup> but are not approved by the FDA.

8.

M.B. consented to be implanted with the non-FDA approved implant.

9.

M.B.'s medical records do not document the brand or type of gluteal implant used during the first procedure or the discussion Respondent had with M.B. regarding options for the types of implants that could be used.

10.

A Board approved peer reviewer reviewed Respondent's treatment of patient M.B. and concluded that Respondent's treatment of patient M.B. departed from and failed to conform to the minimum standard of acceptable and prevailing medical practice. The peer reviewer's findings

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<sup>1</sup> <https://lifesil.com/en/about-lifesil/>

<sup>2</sup> ANVISA is the Brazilian regulatory agency that is responsible for the approval and supervision of food, cosmetics, tobacco, pharmaceuticals, health services, and medical devices, among others. The agency is connected to the Ministry of Health, which manages ANVISA through a management contract signed periodically.  
<https://www.emergobyul.com/resources/brazil/anvisa>

included, but were not limited to:

- a) Respondent failed to document in the medical records for the first gluteal augmentation operation the brand, manufacture, size, type, and lot/serial number of the gluteal implants he used on M.B.;
- b) Respondent inserted non-FDA approved gluteal implants in M.B., with no documented reason for doing so;
- c) Respondent failed to document a discharge order or evaluation of M.B. prior to discharging, her following the May 23, 2014 surgical procedure;
- d) Respondent failed to stabilize M.B. prior to discharging her following the May 23, 2014 surgery; and
- e) Respondent failed to document a neuromuscular exam of M.B.'s lower extremity after the May 23, 2014 procedure after she reported she had fallen and injured the area where her gluteal implants had just been inserted.

11.

The Board has concluded that Respondent's aforementioned practices and procedures departed from and failed to conform to the minimum standards of acceptable and prevailing medical practice and was a violation of Georgia's laws and the Board's rules.

12.

For purposes of the Order, Respondent does not contest findings of fact 1 - 9 and hereby waives any further findings of fact with respect to the above-styled matter. Respondent denies finding of fact 10 and that he was negligent in his clinical management of patient M.B., but nonetheless consents to the entry of the Order and the sanctions outlined below.

#### **CONCLUSIONS OF LAW**

For purposes of this Order, Respondent does not dispute that his conduct constitutes sufficient



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

### **ORDER**

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

1.

Respondent shall pay administrative fees in the amount of four hundred and seventy two dollars and zero cents (\$472.00) as reimbursement to the Board of expenses incurred in the investigation of this matter, which expenses do not include time spent by the investigative division of the Board. Said fees shall be payable by certified check or money order to the Georgia Composite Medical Board **within thirty (30) days** of the effective date of this Order and shall be paid separately from the fine referenced in paragraph four below. Failure to pay the entire administrative fees by the 30<sup>th</sup> day shall be considered a violation of this Order and may result in further sanctioning of Respondent's license, including revocation, upon substantiation thereof.

2.

Respondent shall submit to the Board a fine in the amount of five thousand dollars (\$5,000.00) to be paid in monthly installment payments of at least \$250.00 (two-hundred and fifty dollars and zero cents) by cashier's check or money order made payable to the Board until the entire amount of \$5,000.00 is paid in full. Each installment payment must be paid to the Board by the 30<sup>th</sup> day of each month, beginning 180 days after this Order is docketed by the Board. A postmark date of the 30<sup>th</sup> of the month shall be deemed substantial compliance. Failure to pay the fine as provided herein shall be considered a violation of this Order and may result in further sanctioning of Respondent's authority to practice medicine in the future, including revocation, upon substantiation thereof.

3.

In addition to the continuing medical education ("CME") required of all Georgia physicians Respondent shall obtain ten (10) hours of continuing medical education ("CME") in record keeping, and ten (10) hours of CME in post-surgical care/patient discharge, and ten (10) hours of continuing medical education (CME) in the area of ethics. Due to the circumstances created by the coronavirus, these CME hours do not have to be obtained in person. Respondent shall complete said additional thirty (30) hours of CME within one (1) year from the docketing of this order. Prior to obtaining the CME, Respondent shall submit the title of the course(s) he plans to attend and information concerning the course(s) to the Board. Within one (1) year from the docketing of this consent order, Respondent shall submit to the Board proof of completion of said additional thirty (30) hours. All reports and submissions required under this Consent Order shall be sent to the attention of the Executive Director, Georgia Composite Medical Board, 2 Peachtree Street, NW, Atlanta, Georgia, 30303 or any subsequent address of the Board.

4.

Respondent shall use only United States Food and Drug Administration ("FDA") Center for Devices and Radiological Health (CDRH) approved Class I, II, and III medical devices. Respondent shall include a complete description of all CDHR devices in patient records of all devices that are used, which shall include the device name, the manufacture, the distributor, the date purchased, the model number of the device, the lot and /or serial number, and any other relevant information that will help identify the specific device that is being used.

5.

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

6.

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

7.

Respondent acknowledges that he has read and understands the contents of this Consent Order. Respondent understands that he has the right to a hearing in this matter, and Respondent freely, knowingly and voluntarily waives such right by entering into this Consent Order.

Respondent understands that this Consent Order will not become effective until approved and docketed by the Composite State Board of Medical Examiners. Respondent further understands and agrees that a representative of the State Department of Law may be present during the presentation of this Consent Order and that the Board shall have the authority to review the investigative file and all relevant evidence in considering this Consent Order. Respondent further understands that this Consent Order, once approved, shall constitute a public record that may be disseminated as a disciplinary action of the Board. If this Consent Order is not approved, it shall not constitute an admission against interest in this proceeding or prejudice the ability of the Board to adjudicate this matter or the Respondent to defend it. Respondent consents to the terms and sanctions contained herein.

Approved this 11 day of August, 2020.

GEORGIA COMPOSITE MEDICAL BOARD


(BOARD SEAL)




BY:

Barby Simmons D.  
GRETCHEN COLLINS, M.D.  
Chairperson Barby Simmons. DO

ATTEST:

  
LASHARN HUGHES, MBA  
Executive Director

CONSENTED TO:

  
RAJAE A. JANHO M.D.  
Respondent

As to Respondent:

Sworn to and subscribed

before me, this 8<sup>th</sup> day

of July, 2020.



NOTARY PUBLIC

My commission expires 11-05-2023.





BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF: )

YONG JIAN LIU, M.D., )  
License Number 52409, )

Respondent. )

DOCKET NO. \_\_\_\_\_

GEORGIA COMPOSITE  
MEDICAL BOARD

AUG 11 2020

DOCKET NUMBER:  
20210008

PUBLIC CONSENT ORDER

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

FINDINGS OF FACT

1.

Respondent is licensed to practice medicine in the State of Georgia, and was so licensed at all times relevant to the matters stated herein.

2.

On or about October 4, 2007, following the death of Respondent's patient as a result of multiple drug toxicity and Respondent's prescribing practices for eight (8) other patients, Respondent entered into a Public Consent Order with the Board which placed his license on probation, subject to terms and conditions. The Public Consent Order was terminated early in or about March, 2009, after the dismissal of the lawsuit in Gwinnett County, related to the death of Respondent's patient, and successful completion of the terms of the Public Consent Order.

3.

1

GCMB  
AUG 10 2020  
Received



In or about 2016, the Board received information from the Georgia Drugs and Narcotics Agency concerning Respondent's prescribing of opiates for multiple patients.

4.

A Board-approved peer reviewer reviewed Respondent's care of patients C.B., H.E., and J.B., and concluded that Respondent departed from and failed to conform to the minimum standard of acceptable and prevailing medical practice in the areas of diagnosis, treatment, and/or recordkeeping as follows:

- As to Patient C.B.: Respondent's treatment was below the minimum standard of acceptable and prevailing medical practice in that Respondent prescribed benzodiazepines when the patient had repeatedly negative urine drug screens for benzodiazepines; Respondent's monitoring was inadequate as Respondent only screened for opiates and not the medication patient was taking, and Respondent never acted upon many negative results or changed his prescribing pattern in light of negative screens; in addition, the patient had opiates present without a prescription for approximately one month;
- As to Patient H.E.: Respondent's treatment and recordkeeping were below the minimum standard of acceptable and prevailing medical practice in that Respondent failed to appropriately monitor the prescribed oxycodone; exhibited a lack of understanding of breakthrough medication while prescribing IR medication only; failed to address the patient's multiple negative screens or document any action taken by Respondent; did not test for prescribed oxycodone; and prescribed an unusual dose of steroid (560 mg in 6 months); and
- As to Patient J.B.: Respondent's treatment and recordkeeping were below the minimum standard of acceptable and prevailing medical practice in that Respondent failed to appropriately monitor prescribed medication; exhibited a lack of understanding of breakthrough medication while prescribing IR medication only; failed to address or document multiple urine drug screens negative for prescribed medication and positive for non-prescribed medications, and failed to test for prescribed oxycodone. In addition, Respondent failed to make any note with respect to screening results on any office visit note.

5.

Respondent does not admit the above findings of fact, but waives further findings and agrees to the entry of this Order for the purpose of settlement.

### CONCLUSIONS OF LAW

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

### ORDER

The Board, having considered all the facts and circumstances of this case, hereby orders, and Respondent hereby agrees, that the following sanctions shall be imposed upon Respondent's license to practice medicine in the State of Georgia:

1.

Within six (6) months of the effective date of this Consent Order, Respondent shall enroll in and successfully complete the mini-residency program entitled "Appropriate Prescribing of Controlled Substances" sponsored by the Mercer University College of Pharmacy, or a similar course pre-approved by the Board. This coursework shall be in addition to continuing medical education (CME) requirements for license renewal and may not be used to fulfill any continuing education hours for license renewal. Respondent shall provide written evidence of successful completion of this course to the Board within six (6) months of the effective date of this Order. Failure to complete the course and provide evidence of completion to the Board shall constitute a violation of this Consent Order and may result in further disciplinary action.

2.

Within one (1) year of the effective date of this Consent Order, Respondent shall pay a fine in the amount of five hundred dollars (\$500.00). Said fine shall be payable by certified check or money order to the Georgia Composite Medical Board. Failure to pay the entire amount within one (1) year of the effective date of this Consent Order shall be considered a violation of this Consent Order and shall result in further sanctioning of Respondent's license, including revocation, upon substantiation.

3.

Within one (1) year of the effective date of this Order, Respondent shall pay administrative costs in the amount of seven hundred dollars (\$700.00). Said costs shall be payable by certified check or money order to the Georgia Composite Medical Board. Failure to pay the entire amount within one (1) year of the effective date of this Consent Order shall be considered a violation of this Consent Order and shall result in further sanctioning of Respondent's license, including revocation, upon substantiation.

4.

Respondent shall abide by all State and Federal laws regulating the practice of medicine or relating to drugs, the Rules and Regulations of the Georgia Composite Medical Board, and the terms of this Consent Order. If Respondent shall fail to abide by such laws, rules or terms, Respondent's license shall be subject to further discipline, including revocation, upon substantiation thereof after notice and hearing. Respondent further agrees that any violation of this Consent Order shall be deemed to be sufficient to authorize the Board to order summary suspension of Respondent's license, pending further proceedings, pursuant to the provisions of the Georgia Administrative Procedure



Act, O.C.G.A. § 50-13-18(c)(1), or any other statute authorizing emergency action, but Respondent understands that Respondent shall be entitled to an expedited hearing to substantiate such violation(s), if the Board exercises such right.

5.

Approval of this Consent Order by the Georgia Composite Medical Board shall not be construed as a waiver of any of the lawful rights possessed by the Board.

6.

Respondent and Board acknowledge that nothing in this Consent Order constitutes an admission of any fact or wrongdoing for any purpose other than resolving the matters pending before the Board."

7.

Respondent acknowledges that Respondent has read this Consent Order and understands its contents. Respondent understands that Respondent has the right to a hearing in this matter and freely, knowingly and voluntarily waives that right by entering into this Consent Order. Respondent understands and agrees that a representative of the Department of Law may be present during the Board's consideration of this Consent Order and that the Board shall have the authority to review the investigative file and all relevant evidence in considering this Consent Order. Respondent further understands that this Consent Order will not become effective until approved and docketed by the Board. Respondent understands that this Consent Order, once approved and docketed, shall constitute a public record, evidencing disciplinary action by the Board that may be disseminated as such. However, if this Consent Order 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. Respondent hereby consents to the terms and sanctions contained herein.

Approved this 11 day of August, 2020.

(signatures on following page)

(BOARD SEAL)



GEORGIA COMPOSITE MEDICAL  
BOARD

BY:

Barby J. Simmons D.  
BARBY J. SIMMONS, D.O.  
Chairperson

ATTEST:

Lasharn Hughes  
LASHARN HUGHES, M.B.A.  
Executive Director

CONSENTED TO:

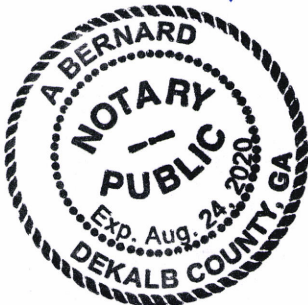
Yongjian Liu  
YONGJIAN LIU, M.D.  
Respondent

AS TO THE SIGNATURE OF  
YONG JIAN LIU, M.D.

Sworn to and subscribed before me  
this, 20th day of July, 2020.

A. Bernard  
NOTARY PUBLIC

My Commission Expires: 08/24/2020



#1188776



BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF:

KANG LU, M.D.,  
License No. 067359,  
Respondent.

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\*  
\*  
\*

DOCKET NO.:

GEORGIA COMPOSITE  
MEDICAL BOARD

AUG 11 2020

DOCKET NUMBER:  
20210005

VOLUNTARY SURRENDER

I, KANG LU, holder of License No. 067359 in the State of Georgia, pursuant to O.C.G.A. Ch.34, T. 43, as amended, hereby freely, knowingly and voluntarily surrender said license to the Georgia Composite Medical Board (hereinafter "Board"). I hereby acknowledge that this surrender shall have the same effect as revocation of my license, and I knowingly forfeit and relinquish all right, title and privilege of practicing medicine in the State of Georgia, unless and until such time as my license may be reinstated, in the sole discretion of the Board.

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

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

[As to Respondent's signature:]

Sworn to and subscribed

This 20 day of July, 2020

S. Tessicini

NOTARY PUBLIC-My commission expires:

12/19/2025

Kang Lu  
KANG LU, M.D.  
Respondent

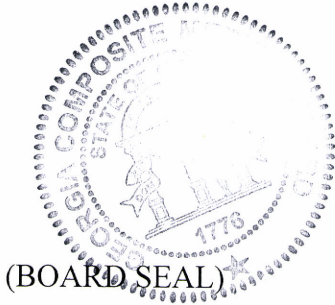
[Continued on next page:]



ACCEPTANCE OF SURRENDER

The voluntary surrender of License No. 067359 is hereby accepted by the Georgia Composite Medical Board, this 11 day of August, 2020.

GEORGIA COMPOSITE MEDICAL BOARD



(BOARD SEAL)

BY:

Barby J. Simmons, D.O.

BARBY J. SIMMONS, D.O.

Chairperson

ATTEST:

Lasharn Hughes

LASHARN HUGHES

Executive Director

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

**IN THE MATTER OF:**

**JODY HELEN MEEK, P.A.**

**License No. 6581,**

**Respondent.**

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)  
)

**DOCKET NO.**

**GEORGIA COMPOSITE  
MEDICAL BOARD**

**AUG 06 2020**

**DOCKET NUMBER:  
10210004**

**INTERIM CONSENT ORDER**

By agreement of the Georgia Composite Medical Board ("Board") and Jody Helen Meek, P.A. ("Respondent") the following interim disposition of this matter is entered pursuant to the provisions of O.C.G.A. § 50-13-13(a)(4), as amended.

**FINDINGS OF FACT**

1.

Respondent was licensed by the Georgia Composite Medical Board ("Board") to practice as a physician assistant in the State of Georgia on or about September 13, 2012, and her license expires September 30, 2021.

2.

During an investigation by the Board, Respondent acknowledged the diversion of 4 Propofol 20mL vials, 1 Midazolam 2mg/2mL vial, one Propofol 100mL vial, and Lidocaine during August 2019 and May 2020.

3.

On or about July 23, 2020, Respondent emailed the Board, indicating that she was seeking treatment for substance abuse issues and requested a suspension of her license to



practice as a physician assistant in order to address these issues, in lieu of revocation or a surrender of her license.

4.

Respondent waives any further findings of facts.

### **CONCLUSIONS OF LAW**

Respondent's alleged conduct constitutes sufficient grounds for the Board to exercise its disciplinary authority and to impose sanctions on Respondent as a licensee under O.C.G.A. Ch. 34, T. 43, as amended, O.C.G.A. § 43-1-19(a) and the Rules of the Georgia Composite Medical Board. Respondent waives any further conclusions of law.

### **ORDER**

The Board having considered the particular facts and circumstances of this case, it is hereby ordered, and the Respondent hereby agrees, as follows:

1.

The Respondent's license to practice as a physician assistant in the State of Georgia to practice outside of Georgia shall be indefinitely suspended commencing on the effective date of this Consent Order (docket date). During the period of suspension, the Respondent shall not use the title, "P.A.," or otherwise engage in the practice as a physician assistant. The Respondent is entitled to renew Respondent's license during the period of suspension. Failure to do so shall result in the revocation of Respondent's license by operation of law. The Respondent also acknowledges and agrees that the Board shall show that Respondent's license is suspended on its data bank and may respond to public inquiries that Respondent's license is suspended.

2.

Respondent may petition to have the suspension of her license lifted upon her completion of a mental/physical evaluation (MPE) and her receipt of professional advocacy to return to practice from a physician certified in addiction medicine or addiction psychiatry acceptable to the Board. Prior to the Board considering Respondent's petition to have the suspension lifted, the Board shall review and evaluate the Respondent's current condition.

Respondent acknowledges that when considering her petition the Board has the authority to review any investigative file relating to the Respondent. The Board may also consider having Respondent appear before the Board or one of its committees prior to making a determination on Respondent's petition. Lifting of suspension and restoration of the Respondent's license shall be in the sole discretion of the Board. Respondent shall not practice as a physician assistant until such time as the Board's website has been updated to reflect that Respondent has an "active" license.

3.

Upon receipt of Respondent's petition to lift, to include the complete results of an MPE and a recommendation from a physician who is board certified in addiction medicine that Respondent is safe to practice as a physician assistant, the Board shall have the discretion to permit Respondent to resume the practice as a physician assistant and place upon Respondent's license any conditions that the Board deems necessary to protect the public safety. Should the Board determine that reasonable cause exists for maintaining the suspension of Respondent's license, the Board shall notify Respondent of its intent to extend the period of suspension, 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 suspension has been lifted and Respondent's license has been restored.

4.

This Interim Consent Order shall be considered a public record of the Board and shall be disseminated as such.

5.

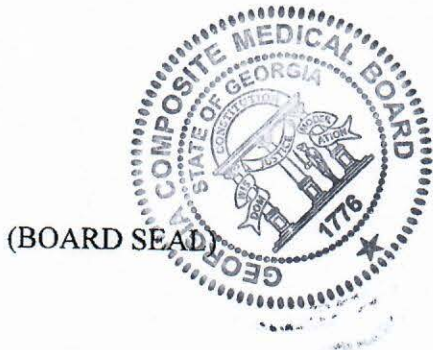
Approval of this Interim Consent Order by the Board shall in no way be construed as condoning Respondent's alleged conduct and shall not be construed as a waiver of any of the lawful rights possessed by the Board or Respondent to finally adjudicate this matter.

6.

Respondent acknowledges that she has read and understands the contents of this Interim Consent Order. Respondent understands that she has the right to a hearing in this matter, and Respondent freely, knowingly and voluntarily waives such right at this time in accordance with the terms set forth herein by entering into this Interim Consent Order. Respondent further understands and agrees that a representative of the Department of Law may be present during the presentation of this Interim Consent Order and that the Board shall have the authority to review the investigative file and all relevant evidence in considering this Interim Consent Order. Respondent understands that this Interim Consent Order will not become effective until approved and docketed by the Georgia Composite Medical Board. Respondent further understands that this Interim Consent Order shall not prejudice the ability of the Board to finally adjudicate this matter or constitute an admission against interest in this proceeding. Respondent consents to the terms contained herein.

Approved, this 29 day of July, 2020.

**GEORGIA COMPOSITE  
MEDICAL BOARD**



(BOARD SEAL)

BY: Barby J. Simmons D.O.  
BARBY J. SIMMONS, D.O.  
Chairperson

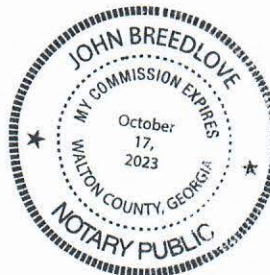
ATTEST: Lasharn Hughes  
LASHARN HUGHES  
Executive Director

As to the signature of  
JODY HELEN MEEK, P.A.  
Sworn to and subscribed  
before me this 29 day  
of July, 2020.

CONSENTED TO:

Jody Helen Meek  
JODY HELEN MEEK, P.A.  
Respondent

[Signature]  
NOTARY PUBLIC  
My commission expires: 10-17-23



BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD  
STATE OF GEORGIA

IN THE MATTER OF:

TIMOTHY ROGERS MULLIGAN, M.D., \*

License No. 30354, \*

Respondent. \*

GEORGIA COMPOSITE  
MEDICAL BOARD

DOCKET NO. AUG 11 2020

DOCKET NUMBER:  
20210009

PUBLIC CONSENT ORDER

By agreement of the Georgia Composite Medical Board ("Board") and TIMOTHY ROGERS MULLIGAN, 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 as amended.

FINDINGS OF FACT

1.

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

2.

Respondent is also licensed to practice as a physician in the State of California.

3.

On or about January 24, 2020, a Decision and Order was entered by the Medical Board of California in Case No. 800-2017-032499 ("California Order") disciplining Respondent's license for unprofessional conduct related to his treatment of a patient, P-1. The order revoked Respondent's license to practice medicine in California, but stayed the revocation and placed

GCMB  
JUL 22 2020  
Received



Respondent's license on probation, with terms including the restriction from supervising PAs, and the voluntary surrender of his DEA license.

4.

Respondent does not contest the above findings of fact and waives any further findings of fact.

#### CONCLUSIONS OF LAW

Respondent's conduct constitutes sufficient grounds for the Board to exercise disciplinary authority over Respondent's licensee under O.C.G.A. Chs. 1 and 34, T. 43, as amended, and the Rules of the Georgia Composite Medical Board. Respondent hereby waives any further conclusions of law with respect to the above-styled matter.

#### ORDER

The Composite State Board of Medical Examiners, having considered all the facts and circumstances of this case, hereby orders, and Respondent hereby agrees, that the following sanctions/limitations shall be imposed upon Respondent's license to practice medicine in the State of Georgia.

1.

Respondent shall abide by all State and Federal laws regulating the practice of medicine, the Rules and Regulations of the Georgia Composite Medical Board, the terms of the California Order, and the terms of this Consent Order. Respondent agrees to report any violation of the California Order or action taken by the California Board, within ten days of the occurrence. If Respondent shall fail to abide by such laws, rules or terms, Respondent's license shall be subject to further discipline, including revocation, upon substantiation thereof after notice and hearing. Respondent further agrees that any violation of this Consent Order shall be

deemed to be sufficient to authorize the Board to order summary suspension of Respondent's license, pending further proceedings, pursuant to the provisions of the Georgia Administrative Procedure Act, O.C.G.A. § 50-13-18(c)(1), or any other statute authorizing emergency action, but Respondent understands that Respondent shall be entitled to an expedited hearing to substantiate such violation(s), if the Board exercises such right.

2.

Within **six months** of the docketing date of this Order, Respondent shall submit evidence of taking a Board-approved prescribing course. If Respondent requests to use the same course that he used to satisfy the California Order, he must submit the course to the Board for approval and receipt confirmation that the course is acceptable. Evidence of completion of the course shall be submitted to the Board. Failure to timely submit this documentation shall be grounds for suspension, without the need for a prior hearing. Respondent shall submit documentation certifying his completion of the program. All reports and submissions required under this Consent Order shall be sent to the attention of the Executive Director, Composite State Board of Medical Examiners, 2 Peachtree Street, NW, Atlanta, Georgia 30303. If Respondent shall fail to comply with the terms of this paragraph, the Respondent agrees that the Board shall immediately suspend Respondent's license without the necessity of a hearing.

3.

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

4.

Approval of this Order by the Board shall in no way be construed as condoning Respondent's conduct and, except as provided herein, shall not be construed as a waiver of any



of the lawful rights of the Board.

5.

Respondent acknowledges that he has read and understands the contents of this Consent Order. Respondent understands that he has the right to a hearing in this matter, and Respondent freely, knowingly and voluntarily waives such right in accordance with the terms set forth herein by entering into this Consent Order. Respondent further understands and agrees that a representative of the Department of Law may be present during the presentation of this Consent Order and that the Board shall have the authority to review the investigative file and all relevant evidence in considering this Consent Order. Respondent further understands that this Consent Order, once approved and docketed, shall constitute a public record and may be disseminated as such. However, if the Consent Order is not approved, it shall not constitute an admission against interest in the proceeding, or prejudice the right of the Board to adjudicate the matter. Respondent understands that this Consent Order will not become effective until approved and docketed by the Georgia Composite Medical Board. Respondent consents to the terms contained herein.

Approved, this 07 day of 10, 2020.

*(signatures on the next page)*

GEORGIA COMPOSITE MEDICAL BOARD

BY: Barby J. Simmons  
BARBY J. SIMMONS, D.O.  
Chairperson

(BOARD SEAL)



ATTEST: Lasharn Hughes  
LASHARN HUGHES, MBA  
Executive Director

CONSENTED TO: Timothy Rogers Mulligan  
TIMOTHY ROGERS MULLIGAN, M.D.  
Respondent

RESPONDENT swore to and subscribed  
before me this 10 day of 07, 2020.

[Signature]  
NOTARY PUBLIC  
My commission expires:

1186766

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD  
STATE OF GEORGIA

IN THE MATTER OF:  
SIDNEY P. SMITH, MD  
License #: 38615

Respondent.

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\*

DOCKET NO.: \_\_\_\_\_ AUG 11 2020

GEORGIA COMPOSITE  
MEDICAL BOARD

DOCKET NUMBER:  
20210007

**PUBLIC CONSENT ORDER**

By agreement of the Georgia Composite Medical Board ("Board") and Sidney P. Smith, M.D., Respondent, the following disposition of this matter is entered pursuant to O.C.G.A. § 50-13-13 (a) (4), *as amended*.

**FINDINGS OF FACT**

1.

Respondent is licensed to practice medicine in the State of Georgia and was licensed to practice medicine at all times relevant to the facts contained in this Order. His license expires on August 31, 2021.

2.

Respondent is a dermatologist and the owner of Georgia Skin & Cancer Clinic, which has multiple locations throughout southeast Georgia and South Carolina.

3.

Since approximately 2011, B.B. has been employed as a medical assistance at Georgia Skin & Cancer Clinic.

4.

Shortly after B.B. first started working at Georgia Skin & Cancer Clinic, Respondent trained B.B. to perform cutaneous tacking sutures for Xenograft skin placements.

**GCMB**

**JUL 23 2020**

**Received**



5.

B.B. is a high school graduate and has no formal university or technical school training.

6.

After B.B. witnessed Respondent perform over 50 porcine skin graft cases and B.B. performed 50 additional cases under Respondent's direct supervision, starting in approximately 2012, at Respondent's direction, but often outside of Respondent's immediate supervision, B.B. started performing these skin grafting procedures.

7.

The skin grafting procedure that B.B. performed involved placing four superficial dissolving sutures within the epidermis to secure the porcine grafts, and injecting the skin graft patients with lidocaine and/or epinephrine.

8.

Ga. Comp. R. & Regs. r. 360-3-.05 (1) states that it shall be grounds for disciplinary action by the Board if a physician aids, abets, or delegates responsibilities to another person who is not authorized to provide such services.

9.

Subsection (1)(a) of that rule permits a physician to delegate the performance of certain medical tasks to a medical assistant with appropriate supervision.

10.

Subsections (1)(a)(1)(i) of that rule limits a physician to delegating the following tasks to a medical assistance: subcutaneous and intramuscular injections; obtaining vital signs; administering nebulizer treatments; removing sutures; and changing dressings.

11.

Subsection (1)(a)(1)(iii) also requires physicians to maintain accurate and complete records of professional services rendered.

12.

In 2016, an investigator for the Board subpoenaed medical records for the patients who received porcine skins grafts from January 2, 2015 through March 1, 2015, at the following Georgia Skin and Cancer Clinics locations in Georgia: Savannah; Statesboro; Brunswick; Richmond Hill; and Jesup.

13.

A Board approved peer reviewer reviewed forty-four of the patient records the Board subpoenaed. The peer reviewer concluded that Respondent's actions, and that the care and treatment those patients whose records he reviewed had departed from and failed to conform to the minimum standards of acceptable and prevailing medical practice in the following manner:

- a) Multiple surgical consents were either not signed by the patients, or the procedures were not specific within the consent;
- b) Pre-operative pathology reports were not included in most of the patients' charts;
- c) Documentation in many of the surgical patients' post-operative surgical plans was absent;
- d) The use of porcine skin grafts for excisional sites under 2 centimeters, on patients' chest and/or forearms, was medically questionable in the absence of documentation regarding the criteria that was considered in determining the type of skin graft; and
- e) Delegating the suturing of skin grafts to a medical assistant did not meet the minimum standards of the medical community.

14.

Respondent's aforementioned practices and procedures departed from and failed to conform to the minimum standards of acceptable and prevailing medical practice and were violations of Georgia's laws and the Board's rules.

15.

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

#### **CONCLUSIONS OF LAW**

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

#### **ORDER**

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

1.

Respondent shall pay administrative fees in the amount of one thousand dollars and zero cents (\$1,000.00) as reimbursement to the Board of expenses incurred in the investigation of this matter, which expenses do not include time spent by the Investigative Division of the Board. Said fees shall be payable by certified check or money order to the Georgia Composite Medical Board **within thirty (30) days** of the effective date of this Order and shall be paid separately from the fine referenced in paragraph 2, below. Failure to pay the entire administrative fees by the 30<sup>th</sup> day shall be considered a violation of this Order and shall result in further sanctioning of Respondent's license, including revocation, upon substantiation thereof.



2.

Respondent shall submit to the Board a fine in the amount of one thousand dollars (\$1,000.00) to be paid by cashier's check or money order made payable to the Board by certified check or money order to the Georgia Composite Medical Board **within thirty (30) days** of the effective date of this Order. Failure to pay the fine as provided herein shall be considered a violation of this Order, and may result in further sanctioning of Respondent's authority to practice medicine in the future, including revocation, upon substantiation thereof.

3.

In addition to the continuing medical education ("CME") required of all Georgia physicians, Respondent shall obtain ten (10) hours of continuing medical education ("CME") in documentation and record keeping. These CME hours must be obtained in person, within one (1) year from the docketing of this order. Respondent shall submit to the Board proof of completion of said additional ten (10) hours. All reports and submissions required under this Consent Order shall be sent to the attention of the Executive Director, Georgia Composite Medical Board, 2 Peachtree Street, NW, Atlanta, Georgia, 30303 or any subsequent address of the Board.

4.

All reports and submissions required under this Consent Order shall be sent to the attention of the Executive Director, Georgia Composite Medical Board, 2 Peachtree Street, NW, Atlanta, Georgia, 30303 or any subsequent address of the Board.

5.

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

6.

Respondent also understands that pursuant to O.C.G.A. Title 43, Chapter 34A, the contents of this order shall be placed on Respondent's Physician Profile and reported as required by state and federal agencies, including but not limited to the National Practitioners Data Bank. Furthermore, by executing this Consent Order, Respondent hereby agrees to permit the Board to update the Physician's Profile reflecting this Consent Order.

7.

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

Approved this \_\_\_\_ day of \_\_\_\_\_, 2020.

GEORGIA COMPOSITE MEDICAL BOARD

(BOARD SEAL



BY:

*Barby J. Simmons*

BARBY J. SIMMONS, M.D., D.O.

Chairperson

ATTEST:

*Lasharn Hughes*

LASHARN HUGHES, MBA

Executive Director

CONSENTED TO:

*Sidney P. Smith*

SIDNEY P. SMITH, MD

Respondent

AS TO THE SIGNATURE

SIDNEY P. SMITH, M.D.

Sworn to and Subscribed

Before me this 7 day of July, 2020.

*Rhonda M. Williams*

NOTARY PUBLIC

My Commission Expires:

1184558

