

September 2022 Public Board Actions List

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

The Board issued **six** public orders in **September 2022**. To view each Board order, click on the licensee's name below.

1. John Bruce Abell, MD

33014
Physician
Public Consent Order

2. Hong Chen

233
Acupuncturist
Consent Agreement for Reinstatement

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Voluntary Cease and Desist Order

4. John McKenzie Henderson, DO

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Physician
Public Board Order Terminating Probation

5. Rizwan Khan, MD

63251
Physician
Public Consent Order

6. Anthony Securo, MD

51736
Physician
Final Decision

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF:
JOHN BRUCE ABELL, M.D.,
License No. 33014,
Respondent.

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GEORGIA COMPOSITE
MEDICAL BOARD

SEP 27 2022

DOCKET NUMBER:
10230014

PUBLIC CONSENT ORDER

By agreement of the Georgia Composite Medical Board (“Board”) and John Bruce Abell, M.D., Respondent, the following disposition of this matter is entered pursuant to the following provisions of the Georgia Administrative Procedure Act, codified as O.C.G.A. § 50-13-13(a)(4).

FINDINGS OF FACT

1.

Respondent is licensed to practice as a physician in Georgia and was so licensed at all times relevant to this matter.

2.

During an investigation by the Board of Respondent’s prescribing of Ivermectin during 2021, Respondent acknowledged prescribing Ivermectin to patients in several instances prior to the establishment of an appropriate doctor-patient relationship and in one instance, Respondent failed to maintain appropriate patient records.

3.

Respondent waives any further findings of fact with respect to the above matter.

CONCLUSIONS OF LAW

Respondent's conduct, constitutes sufficient grounds for the imposition of sanctions upon Respondent's license to practice as a physician in the State of Georgia under O.C.G.A. Chs.

1 and 34, T. 43, as amended. Respondent hereby waives any further conclusions of law with respect to the above-styled matter.

ORDER

The Georgia Composite Medical Board, having considered the particular facts and circumstances of this case, hereby orders, and Respondent hereby agrees, that the following sanctions shall be imposed on Respondent's license to practice as a physician in the State of Georgia.

1.

Within six (6) months of the effective date of this Consent Order, Respondent shall enroll in, complete, and provide evidence to the Board of completion of ten (10) hours of continuing education approved by the Board in the area of ethics. Such coursework and hours shall be in addition to, and shall NOT be used to satisfy, continuing education hours for license renewal purposes. Respondent's failure to complete the courses and hours and/or provide evidence of completion of the courses and hours shall be considered a violation of this Order and grounds for further disciplinary action, including revocation.

2.

Within thirty 30 days of the effective date of this Order, Respondent shall pay a fine in the amount of five thousand dollars (\$5,000.00) to be paid in full by cashier's check or money order made payable to the Georgia Composite Medical Board. Said fines shall be sent to Georgia Composite Medical Board, 2 Peachtree Street, NW, 6th Floor, Atlanta, GA 30303, to the attention of the Executive Director. Failure to pay the entire amount by the 30th day shall be considered a violation of this Order and shall result in further sanctioning of Respondent's license, including revocation, upon substantiation thereof.

3.

In addition to, and in conjunction with any other sanction contained herein, this Consent Order and dissemination thereof, shall serve as a public reprimand of Respondent by the Board.

4.

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.

5.

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

6.

Respondent shall abide by all state and federal laws regulating the practice of medicine and relating to drugs, the Rules and Regulations of the Board, and the terms and conditions of this Consent Order. If Respondent shall fail to abide by such laws, rules, terms or conditions, Respondent's license shall be subject to further discipline, including revocation, upon substantiation thereof after notice and hearing, and if revoked, the Board in its discretion may determine that the license should be permanently revoked and not subject to reinstatement. Respondent further agrees that any violation of this Consent Order shall be deemed to be sufficient to authorize the Board to initiate further disciplinary action or 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, if the Board exercises

such right.

7.

Respondent acknowledges that he has read this Consent Order and understands its contents. Respondent understands that he has the right to appear before the Board in this matter, and 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 Board. Respondent further understands and agrees that a representative of the Department of Law may be present during presentation of this Consent Order to the Board 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 and will be reportable to the National Practitioner Data Bank. However, if the 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 consents to the terms and conditions contained herein.

(signatures on following page)

Approved, by the Board this 27th day of September, 2022.

GEORGIA COMPOSITE MEDICAL BOARD



BY: *Matthew W. Noiman*
Matthew W. Noiman, MD.
Chairperson

Attest: *Daniel R. Dorsey*
DANIEL R. DORSEY
Executive Director

Consented to: *John Bruce Abell*
JOHN BRUCE ABELL, M.D.
Respondent

Witness of Signature:

Swore to and subscribed
before me this 18 day
of Aug, 2022.

Verna Davis
NOTARY PUBLIC

My commission expires: 1-06-2023



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

IN THE MATTER OF:)

HONG CHEN,)
Acupuncturist License No. 233,)

Reinstatement Applicant.)

GEORGIA COMPOSITE
MEDICAL BOARD

SEP 27 2022

DOCKET NUMBER:
20230015

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 HONG CHEN ("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 December 4, 2009, Applicant was issued a license to practice as a acupuncturist in the State of Georgia. On April 30, 2011, Applicant's license expired. Applicant failed to renew her license during the renewal and late renewal periods.

2.

On or about April 2, 2012, the Board reinstated Applicant's license through the entry of a public consent order, Board Docket No. 20120043, after it was found that she continued to practice acupuncture for 10 months after her license had expired. Applicant was ordered to pay a fine of \$500.00 and issued a public reprimand.

3.

On April 30, 2019, Applicant's license expired for the second time. Applicant again failed

to renew her license during the renewal and late renewal periods.

4.

On or about November 18, 2019 the Board again reinstated Applicant's license through the entry of a private consent order, after it was found that she continued to practice acupuncture after her license had expired. Applicant was ordered to pay a \$500.00 fine and issued a private reprimand.

5.

On or about April 30, 2021, Applicant's license again expired. Applicant failed to renew her license during the renewal and late renewal periods and her license was administratively revoked on or about July 31, 2021. On or about January 27, 2022, Applicant submitted another application for reinstatement of her license. It was again determined that she had been practicing for several months after her license had been administratively revoked.

6.

Applicant waives any further findings of fact.

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 three thousand dollars (\$3,000.00) to be paid in full by cashier's check or money order made payable to the Georgia Composite Medical Board within six (6) months of the effective date of this Consent Agreement. Said fine shall be sent to Georgia Composite Medical Board, 2 Peachtree Street, NW, 6th Floor, Atlanta, Georgia 30303, to the attention of the Executive Director. Failure to pay the entire amount within six (6) months shall be considered a violation of this Agreement and shall result in further sanctioning of Applicant's licensure, including revocation, upon substantiation thereof.

2.

Upon renewal, Applicant's license to practice acupuncture in the State of Georgia shall be immediately placed on a period of suspension. During the period of suspension, the Applicant shall not use the title, "LAc" or otherwise engage in the practice of acupuncture as defined in O.G.G.A. § 43-34-62(1) and/or (4). Applicant is entitled to renew Applicant's license during the period of suspension. Failure to renew shall result in revocation of Applicant's license by operation of law.

3.

Applicant may submit, to the Board, a petition to lift the period of suspension no sooner than sixty days from the effective date of this Consent Agreement. Applicant's petition shall contain: evidence of completion of ten (10) hours of continuing education sponsored by National

Certification Commission for Acupuncture and Oriental Medicine or approved by the Board in the area of ethics. These hours may not be used, or have been used, by Applicant to satisfy continuing education hours required for license renewal.

4.

In considering whether to lift the suspension, the Board shall have the authority to review the entire investigative and/or compliance file(s) and all relevant evidence, including but not limited to, whether Applicant has complied with the suspension. The Board shall also have the authority to order any additional investigation that may be required in order to determine whether Applicant is competent to practice with reasonable skill and safety.

5.

The period of suspension shall remain in effect unless and until the Board, in its sole discretion, lifts the suspension in writing. Lifting of Applicant's suspension shall be within the sole discretion of the Board. If Applicant's petition should be denied, Applicant may submit another petition no sooner than six (6) months following the Board's denial of Applicant's prior petition. Applicant's petition(s) shall not constitute a contested case.

6.

Applicant shall abide by all state and federal laws regulating the practice of acupuncture, the Rules and Regulations of the Board, and the terms and conditions of this Consent Agreement. If Applicant shall fail to abide by such laws, rules, terms or conditions of this Consent Agreement, or if it should appearing from reports, inspections or other information submitted to the Board that Applicant is otherwise unable to practice acupuncture with reasonable skill and safety to patients, Applicant's license shall be subject to further discipline, including revocation,

upon substantiation thereof after notice and hearing; and if revoked, the Board in its discretion may determine that the license should be permanently revoked and not subject to reinstatement.

7.

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

8.

Approval of this Consent Order by the Board shall not be construed as condoning Applicant's conduct and shall not be construed as a waiver of any of the lawful rights possessed by the Board.

9.

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 the Board shall have the authority to review the Board's files 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 Board. Applicant understands that this Consent Agreement, 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 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.

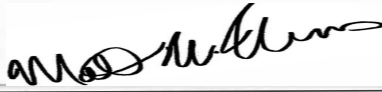
[Signatures on next page:]

Approved this 27th day of September, 2022.

GEORGIA COMPOSITE MEDICAL BOARD


(BOARD SEAL)

BY:



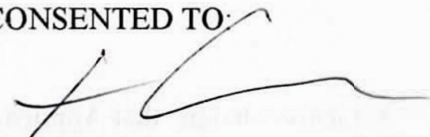
MATTHEW W. NORMAN, M.D.
Chairperson

ATTEST:




DANIEL R. DORSEY
Executive Director

CONSENTED TO:



HONG CHEN
Applicant

[As to Applicant's signature:]
Sworn to and subscribed before me
This 14th day of September 2022.



NOTARY PUBLIC

My Commission Expires: 1/17/2026

Notarized on Hong Chen.

M SHIM
NOTARY PUBLIC
Gwinnett County
State of Georgia
My Comm. Expires Jan. 17, 2026

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF:

MELVIN DIXON,

Respondent.

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DOCKET NO.

GEORGIA COMPOSITE
MEDICAL BOARD

SEP 13 2022

DOCKET NUMBER:

10230011

VOLUNTARY CEASE AND DESIST ORDER

FINDINGS OF FACT

1.

Melvin Dixon (“Respondent”) does not possess a license to practice as an Orthotist and/or Prosthetist, pursuant to O.C.G.A. Ch. 34, T. 43, as amended.

2.

On or about March 15, 2021, the Georgia Composite Medical Board (“Board”) received information that Respondent did treat at least one patient for a prosthesis. On or about September 28, 2021, Respondent admitted to treating at least one patient for a prosthesis knowing he did not possess a license to practice orthotics or a license to practice prosthetics.

3.

Pursuant to O.C.G.A. § 43-34-192, a “Licensed orthotist” means a person licensed under this article to practice orthotics and who represents himself or herself to the public by title and description of services that includes the term “orthotic,” “orthotist,” “brace,” or a similar title or description of services. A “Licensed prosthetist” means a person licensed under this article to practice prosthetics and who represents himself or herself to the public by title and description of

services that includes the term “prosthetic,” “prosthetist,” “artificial limb,” or a similar title or description of services.

CONCLUSIONS OF LAW

Respondent’ s conduct outlined above constitutes sufficient grounds to issue an order prohibiting Respondent from violating O.C.G.A. § 43-34-192 and issue other sanctions as set out below in this Order. Respondent hereby waives any further conclusions of law with respect to the above-styled matter.

ORDER

1.

Respondent hereby agrees to voluntarily cease and desist from any practice that would require Respondent to possess a license to practice as a Orthotist and/or a Prosthetist as required under O.C.G.A. Ch. 34, T. 43, as amended, until such time as Respondent is licensed by the Board.

2.

Respondent understands that Respondent has a right to a hearing in this matter, and hereby freely, knowingly, and voluntarily waives such right. Respondent also understands that should Respondent apply for licensure with the Board, the board shall have access to this Order and to the entire investigative file in this matter.

3.

This Order shall become effective immediately upon approval thereof by the Board and shall remain in effect until such time as Respondent becomes licensed with the Board or until further order. Respondent understands that this document will be considered to be a public record entered as the final disposition of any proceedings presently pending or which could be

brought against Respondent by the Board and that this action shall be considered to be and may be recorded as a final order of the Board.

4.

Any violation of this Order shall subject Respondent to a fine not to exceed \$500.00 for each transaction constituting a violation hereof, pursuant to O.C.G.A. § 43-1-20.1, and any remedy contained herein shall NOT preclude the Board from seeking remedies otherwise available by statute, including criminal prosecution or injunctive relief.

This 13 day of SEPTEMBER, 2022.



GEORGIA COMPOSITE MEDICAL BOARD

BY:

Matthew W. Norman
MATTHEW W. NORMAN, M.D.
Chairperson

ATTEST:

Daniel R. Dorsey
DANIEL R. DORSEY
Executive Director

CONSENTED TO:

Melvin Dixon
MELVIN DIXON
Respondent

Sworn to and Subscribed

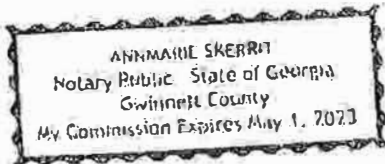
of 9/18, 2022.

[Signature]

NOTARY PUBLIC

My Commission Expires:

MAY 1 2023



BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF:

JOHN MCKENZIE HENDERSON, D.O.,
License No. 25765,
Respondent.

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Docket No.

GEORGIA COMPOSITE
MEDICAL BOARD

SEP 06 2022

DOCKET NUMBER:
20230008

PUBLIC BOARD ORDER TERMINATING PROBATION

WHEREAS, the Georgia Composite Medical Board (“Board”) and the Respondent, John McKenzie Henderson, D.O., entered a Public Consent Order (“Order”) in the above-styled matter on or about February 5, 2021, Docket No. 20210044, which placed Respondent’s license on probation, imposing several terms and conditions.

WHEREAS, Respondent has petitioned the Board to terminate the probation and has submitted documentation showing compliance with the Board’s Order.

WHEREAS, the Board has determined that the Respondent has complied with the terms and conditions of the Order.

NOW THEREFORE, the Board hereby TERMINATES the probation of Respondent’s license. Respondent’s license is returned to unrestricted status and is in good standing.

SO ORDERED, this 6th day of September 2022.



GEORGIA COMPOSITE MEDICAL BOARD

BY:

MATTHEW NORMAN, M.D.
Chairperson

ATTEST:

DANIEL DORSEY
Executive Director

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF:

JOHN MCKENZIE HENDERSON, D.O.,

License No. 25765,

Respondent.

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GEORGIA COMPOSITE
MEDICAL BOARD

FEB 05 2021

DOCKET NUMBER:

20210044

PUBLIC CONSENT ORDER

By agreement of the Georgia Composite Medical Board ("Board") and JOHN MCKENZIE HENDERSON, D.O. ("Respondent"), the following disposition of this matter is entered into pursuant to the provisions of O.C.G.A. §50-13-18, 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 relative to the matters herein.

2.

In December, 2019, the Board received information that Respondent engaged in an intimate relationship with a patient from 2006 to 2010.

3.

The Board required Respondent to obtain a mental/physical examination from a board approved provider. The results of the examination included the following recommendations: that Respondent attend courses in professional boundaries and appropriate prescribing, that Respondent engage in treatment with an individual therapist, and that Respondent have a chaperone present during the entirety of all medical contact with female patients.

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 constitutes sufficient grounds for the imposition of sanctions and/or conditions upon Respondent's license to practice medicine in the State of Georgia pursuant to O.C.G.A. §§ 43-34-8 and 43-1-19. Respondent waives any further conclusions of law with respect to the above styled matter.

ORDER

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

1.

Beginning on the effective date of this Consent Order, Respondent's license shall be placed on a period of probation subject to the following terms and conditions:

(a) Individual Therapy with Quarterly Reports. Throughout the period of probation or until discharged by his therapist, whichever occurs first, Respondent shall participate in a program of psychotherapy approved by the Board which therapy shall include work on maintaining boundaries with patients. Any change in therapist shall be preapproved by the Board. The Respondent shall provide a copy of this Order to the Respondent's 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 through the period of probation, which reports shall evaluate the Respondent's progress in therapy. Upon discharge from therapy, the Respondent shall provide

the Board with evidence of such discharge. 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 function as a physician shall be grounds for further disciplinary action. Reports submitted pursuant to this paragraph shall be deemed medical records and shall not be subject to disclosure by the Board. In the event the reports are used in a subsequent hearing, they shall be received in camera.

(b) Courses. **Within six (6) months** of the effective date of this Order, Respondent shall enroll in and complete: (1) a course approved by the Board in the area of maintaining professional boundaries; and (2) a course approved by the Board regarding appropriate prescribing practices. Respondent shall provide the Board with evidence of his completion of the courses. Respondent's failure to complete the approved courses and/or to provide evidence of completion of the courses shall be considered a violation of this Order and grounds for further disciplinary action, including revocation. These courses shall not be used to satisfy continuing education hours required for license renewal unless approved by the Board.

(c) Use of Chaperone. Respondent shall have a chaperone present for the entirety of all medical visits with all female patients, and shall document the chaperone's presence in the medical record.

(d) Further Evaluation. At any time during the period of probation, the Board shall also have the authority to order Respondent to undergo a physical or mental evaluation by a physician designated by the Board. Respondent shall execute such releases as may be required for the Board to obtain the results of such evaluations.

(e) Reporting Requirements. Respondent shall provide a copy of this Consent Order to all reporting individuals. It shall be the responsibility of the Respondent to ensure that all

required reports are timely submitted to and received by the Georgia Composite Medical Board. Reports shall be sent to the Executive Director, Georgia Composite Medical Board, 2 Peachtree Street SW, 5th Floor, Atlanta, Georgia 30303.

(f) Consent to Release of Information. By executing this Consent Order, Respondent specifically consents to any individuals or entities reporting to the Board information which would affect Respondent's ability to practice as a physician with reasonable skill and safety to patients or which constitutes a violation of the Medical Practice Act or this Consent Order, notwithstanding any privilege provided by state or federal law, and agrees to provide to the Board any release or other documentation which may be necessary for the Board to obtain such information.

(g) Periods of Residency Outside Georgia or Periods When Not Actively Practicing Medicine. In the event that Respondent should leave Georgia to reside or practice outside of Georgia for periods longer than thirty (30) consecutive days, Respondent shall notify the Board in writing of the dates of departure and return. Periods of residency or practice outside of Georgia as well as periods when Respondent is not actively engaged in practicing as a physician will not apply toward the reduction of Respondent's probation period, except as authorized by the Board.

(h) Employment/ Residency Change. Respondent shall notify the Board in writing of any change in address of record or employment status within 10 days of the change.

(i) Abide By Laws, Rules and Terms. 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, or if it should appear from reports submitted to

the Board that Respondent is otherwise unable to practice medicine with reasonable skill and safety to patients, Respondent's license shall be subject to further discipline, including revocation, upon substantiation thereof after notice and hearing. **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 he shall be entitled to an expedited hearing to substantiate such violation(s), if the Board exercises such right.**

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

(k) Termination of Probation. Respondent shall not be eligible to petition for termination of probation until Respondent has completed the requirements of this Order. At such time, Respondent may petition for termination of probation by certifying under oath before a notary public that he has complied with all terms and conditions of probation and by providing the following: (1) the results of a re-evaluation of Respondent by a Board approved provider conducted within thirty (30) days of Respondent's petition which indicates that Respondent is able to continue to practice medicine with reasonable skill and safety; and (2) a written statement from Respondent's therapist, if he is still engaged in therapy at the time of the petition, as to

whether the therapist agrees with terminating probation. The Board may require Respondent to appear before the Board or a committee thereof in consideration of his petition. At such time, should the Board determine that reasonable cause exists for maintaining probation, the Board shall notify Respondent of its intent to extend the period of probation, and Respondent may 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.

2.

Respondent understands that pursuant to O.C.G.A. Title 43, Chapter 34A, the contents of this Consent 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.

3.

Approval of this Consent Order by the Georgia Composite Medical Board shall in no way be construed as condoning the Respondent's conduct and shall not be construed as a waiver of any of the lawful rights possessed by the Board.

4.

Respondent acknowledges that he has read this Consent Order and understands its contents. Respondent understands that he has a right to a hearing in this matter, and freely, knowingly, and voluntarily waives that right. Respondent understands that the Consent Order will not become effective until approved and docketed by the Georgia Composite Medical Board. Respondent further understands and agrees that the Board shall have the authority to review the investigative file(s) and all relevant evidence in considering the Consent Order.

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

Approved, this 5th day of February, 2021.

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

CONSENTED TO:

John McKenzie Henderson, D.O.

JOHN MCKENZIE HENDERSON, D.O.
Respondent

[As to Respondent's signature only:]

Sworn to and subscribed before me

This 3 day of December, 2020.

Annun Williams

NOTARY PUBLIC

My Commission Expires: 8-7-2022



#1223646

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF:

RIZWAN SIKANOAR KHAN, M.D.,
License No. 63251,
Respondent.

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DOCKET NO.:

GEORGIA COMPOSITE
MEDICAL BOARD

SEP 06 2022

DOCKET NUMBER:
20230007

PUBLIC CONSENT ORDER

By Order of the Georgia Composite Medical Board (“Board”) and Rizwan Sikanoar Khan, M.D., Respondent, the following disposition of this matter is entered pursuant to the following provisions of the Georgia Administrative Procedure Act, codified as O.C.G.A. § 50-13-13(a)(4).

1.

Respondent is licensed to practice as a physician in Georgia and was so licensed at all times relevant to this matter.

2.

On or about September 4, 2020, Respondent resigned his hospital privileges, following allegations of improper intimate contact with a patient. Respondent had elected to discontinue practicing medicine in November of 2019 in the wake of these allegations.

3.

In connection to those allegations, Respondent voluntarily underwent treatment at the Acumen Institute for treatment of sexual boundary issues. On or about April 14, 2021, the Acumen Institute issued a report, recommending that Respondent submit to various limitations in order to further his ability to practice safely.

4.

Respondent waives any further findings of facts.

ORDER

The Georgia Composite Medical Board, having considered the particular facts and circumstances of this case, hereby orders, and Respondent hereby agrees, that the summary suspension shall be lifted and that the following sanctions shall be imposed on Respondent's license to practice as a physician in the State of Georgia.

1.

Beginning on the effective date of this Consent Order (hereinafter "Order"), Respondent's license to practice as a physician in the State of Georgia shall be placed on PROBATION, subject to the following terms:

(a) PRACTICE RESTRICTION. During the period of probation, Respondent shall only engage in practice with male patients. After one year of practicing under this limitation, Respondent may petition the Board to lift this restriction. In connection with this petition, Respondent shall provide the Board with an evaluation from a psychiatrist that he is safe to practice medicine with a female population. The Board shall have the opportunity to review the evaluation and the file and may require Respondent to meet with the Board prior to making a decision on the matter. This provision shall remain in effect pending an order from the Board that it has been terminated.

(b) WORKPLACE RESTRICTION: Respondent shall submit his proposed practice plans to the Board for approval of his workplace. If the Board rejects a proposed workplace, then Respondent may submit an alternative workplace for consideration. Respondent shall report in writing to the Board, with reports submitted 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 while this Order is in effect regarding Respondent's clinical practice, including but not limited to number of hours worked, number of patients seen.

(c) EMPLOYER REPORTS: Respondent shall provide a copy of this Order to his employer, who shall provide reports regarding Respondent's clinical practice, including but not limited to number of hours worked, number of patients seen, and the supervising physician's opinion on Applicant's ability to practice medicine with reasonable skill and safety to patients. The reports shall be submitted 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 while this Order is in effect. Failure to submit or have such reports submitted in a timely manner shall be considered a violation of this Order.

(d) QUARTERLY VISITS TO PSYCHIATRIST: Respondent shall see a psychiatrist, at a minimum, on a quarterly basis. Respondent shall provide a copy of this Order to his psychiatrist, who shall make quarterly reports to the Board, with a statement as to Respondent's ability to practice safely, with respect to sexual boundary issues.

(e) TREATMENT: During the period of probation, Respondent will continue treatment with his psychotherapist. Respondent shall supply a copy of this Consent Order to his treating psychotherapist. The psychotherapist shall submit quarterly reports to the Board as to Respondent's progress in treatment and confirm that Respondent remains safe to practice while complying with the terms of this order. Respondent shall comply with all directives from the treating psychotherapist, including participation in additional therapy as directed.

(f) FINE: Within six months of the effective date of this Order, Respondent shall pay a fine in the amount of five thousand dollars (\$5,000.00) to be paid in full by cashier's check or money order made payable to the Georgia Composite Medical Board. Said fines shall be sent to Georgia Composite Medical Board, 2 Peachtree Street, NW, 6th Floor, Atlanta, GA 30303, to the attention of the Executive Director. Failure to pay the entire amount by the six months shall be

considered a violation of this Order and shall result in further sanctioning of Respondent's license, including revocation, upon substantiation thereof.

(g) PBI COURSE: Within one (1) year from the docketing date of this consent order, Respondent shall successfully complete, at his own expense the PBI course, "Prescribing: Opioids, Pain Management." This coursework shall be in addition to CME requirements required of all Georgia physicians for renewal of their license.

(h) ABIDE BY LAWS, RULES, AND TERMS. The Respondent shall abide by all State and Federal laws regulating the practice of medicine, the Rules and Regulations of the Board, and the terms of the Order. If the Respondent shall fail to abide by any of the terms of this Order, Respondent's license shall be subject to discipline, including revocation, upon substantiation thereof after notice and hearing.

(i) PETITION TO TERMINATE ORDER. After three (3) years, Respondent shall be eligible to petition the Board to terminate the Order, by certifying under oath before a notary public that Respondent has complied with all conditions of this Order and submit a notarized statement from his treating physician that Respondent is safe to practice without the need for ongoing treatment. The Board shall review and evaluate Respondent's performance under and compliance with this Order prior to terminating this Order. At such time, should the Board determine that reasonable cause exists for maintaining or adding any terms or conditions on Respondent's license, the Board shall notify Respondent of its intent to continue or modify this Order to impose any terms deemed necessary at the time of the petition, and Respondent may respond to such notice in writing or request an appearance before the Board as in a non-contested case. This Order shall remain in effect pending a final determination by the Board and notification that it has been terminated.

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** of Respondent by the Board.

3.

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.

4.

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

5.

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 such right by entering into this Consent Order. Respondent understands that this Consent Order will not become effective until approved and docketed by the Board. Respondent further understands and agrees that a representative of the Department of Law may be present during presentation of this Consent Order to the Board 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 and will be reportable to the National Practitioner Data Bank. However, if the 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 consents to the terms and conditions contained herein.

Approved by the Board, this 6th day of September, 2022.

GEORGIA COMPOSITE MEDICAL BOARD



BY: [Signature]
MATTHEW W. NORMAN, M.D.
Chairperson

Attest: [Signature]
DANIEL R. DORSEY
Executive Director

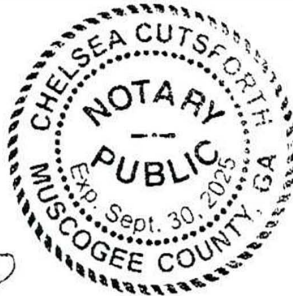
Consented to: [Signature]
RIZWAN SIKANWAR KHAN, M.D.
Respondent

Witness of Signature:

Swore to and subscribed
before me this 2 day
of September, 2022.

[Signature]
NOTARY PUBLIC

My commission expires: 09/30/2025



NOTARIZED ONLY FOR
Rizwan Sikanwar Khan

ON THIS DATE
9/6/22

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF:)

ANTHONY SECURO, MD,
License No. 51736,
Respondent.)

) OSAH Docket No.: 2225951
) 2225951-OSAH-GCMB-PHY-67-Schroer
)
) BOARD DOCKET NO:
)

GEORGIA COMPOSITE
MEDICAL BOARD

SEP 13 2022

DOCKET NUMBER:
10230012

FINAL DECISION

An Initial Decision was issued by the Office of State Administrative Hearings in the above matter on July 22, 2022. The Executive Director was hand-served with the Initial Decision on August 11, 2022, after unsuccessful attempts to serve the Respondent. In the absence of an application to the agency for review of said Initial Decision, or an order by the Board to review said Initial Decision on its own motion, said Initial Decision becomes the Final Decision of the Board by operation of law, pursuant to O.C.G.A. § 50-13-17(a).

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.

DECISION AND ORDER

The recommendation of the Administrative Law Judge that Respondent’s license to practice medicine in the State of Georgia be **INDEFINITELY SUSPENDED**, with the terms as set forth in the Initial Decision, including all terms setting forth the Respondent’s eligibility

to petition the Board for the lifting of such suspension and restoration of his license, is adopted and incorporated by reference and, having become final on September 11, 2022, is hereby made the Final Decision of the Board, effective September 11, 2022.

SO ORDERED, this 13 day of September, 2022.

GEORGIA COMPOSITE MEDICAL BOARD



MATTHEW W. NORMAN, M.D.
Chairperson



DANIEL DORSEY
Executive Director



Docket No.: 2225951-OSAH-GCMB-PHY-67-Schroer

ANTHONY SECURO, MD
845 SCENIC HIGHWAY, STE 100
LAWRENCEVILLE, GA 30046

9414 8118 9956 2591 2676 56

ELIZABETH SIMPSON
ASSIST ATTORNEY GENERAL
40 CAPITAL SQUARE SW
ATLANTA, GA 30334-1300

DANIEL DORSEY
GEORGIA COMPOSITE MEDICAL BOARD
2 PEACHTREE STREET NW 6TH FLOOR
ATLANTA, GA 30303

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



GEORGIA COMPOSITE MEDICAL BOARD,)	
)	
Petitioner,)	
)	DOCKET NO. 2225951
)	2225951-OSAH-GCMB-PHY-67-Schroer
v.)	
ANTHONY SECURO, MD,)	Agency Reference No.: 51736
Respondent.)	

INITIAL DECISION

The Georgia Composite Medical Board (“Petitioner” or “Board”) initiated this matter for the purpose of sanctioning Respondent’s medical license. Specifically, the Board seeks, at a minimum, the indefinite suspension of Respondent’s license. An evidentiary hearing took place on June 23, 2022, before the undersigned administrative law judge. The Board was represented by Elizabeth Simpson, Assistant Attorney General. Respondent was given notice of the hearing but did not appear. Following the Board’s presentation of evidence, the Court requested the Board to submit proposed Findings of Facts and Conclusions of Law, which the Court has considered in reaching this Initial Decision.

After careful consideration of the evidence of record in this case, and for the reasons stated below, the undersigned **RECOMMENDS** that Respondent’s license to practice medicine in Georgia be **SUSPENDED** indefinitely, subject to the conditions set forth in Section IV of this decision.

I. FINDINGS OF FACT

1.

Respondent holds a license to practice as a physician in the State of Georgia and held such license at all times relevant to the issues presented for hearing. Respondent's license was originally issued on July 12, 2002, and is scheduled to expire on March 31, 2023. (Exhibit P2).

2.

On or about February 6, 2020, Respondent entered a Plea Agreement in the United States District Court, Southern District of Georgia, Statesboro Division (Case No. 6:19CR10). As part of the Plea Agreement, Respondent agreed to enter a plea of guilty to Count Six of an Indictment, which charged a violation of 18 U.S.C. § 1035(a)(2), False Statements Relating to Health Care Matters. (Exhibit P4.)

3.

The Plea Agreement stipulated to the following facts:

[* * *] the defendant, Anthony T. Securo, aided and abetted by others known and unknown, did knowingly and willfully make or used materially false writings and documents including but not limited to an order with an exam date on or about December 21, 2018 for a patient M.P., knowing the same to contain materially false, fictitious, and fraudulent statements and entries, to wit that Securo had examined the patient and had determined based on those examinations that the DME order was medically necessary when in fact Securo had no more than a short telephonic conversation with M.P., whom he had never before met and never examined, in connection with the delivery of a series of orthotic braces, which are health care benefits, items, and service involving the Medicare Program, a health care benefit program as defined in 18 U.S.C. § 24(b). All done in violation of Title 18, United States Code, Section 1035(a)(2).

(Exhibit P4.)

4.

On or about June 3, 2020, a judgment in a criminal case was entered in the United States District Court, Southern District of Georgia, Savannah Division, under the above case number, whereby Respondent pleaded guilty to one count of violating 18 U.S.C. § 1035(a)(2). Respondent was sentenced to five years' probation and restitution in the amount of \$449,070 to the payee, the Centers for Medicare and Medicaid Services. (Exhibit P3.)

5.

The Notice of Hearing in this matter was delivered by certified mail to the Respondent's address of record with the Board. Prior to the hearing, Respondent acknowledged receipt of the Notice of Hearing. However, he indicated to counsel for Petitioner by electronic mail that he did not wish to participate and that he wished to "voluntarily relinquish" his license. (Exhibits P1, P1A, PB.)

II. CONCLUSIONS OF LAW

1.

Petitioner seeks to discipline Respondent's medical license. Accordingly, Petitioner bears the burden of proof. Ga. Comp. R. & Regs. 616-1-2-.07. The standard of proof is a preponderance of the evidence. Ga. Comp. R. & Regs. 616-1-2-.21.

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 "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.

The Board is the entity responsible for licensing practitioners of medicine in Georgia and establishing standards for the medical profession. The Board is authorized to sanction a licensed practitioner who has violated the statutes and rules governing the profession as set forth in the Medical Practice Act of the State of Georgia, O.C.G.A. §43- 34-1 to 48; the rules of the Georgia Composite Medical Board, Ga. R. & Regs 360-1 to 40; and the general statutory provisions regarding disciplinary actions by professional licensing boards, found at O.C.G.A. §43-1-19. The sanctions available to the Board are set forth in O.C.G.A. § 43-1-19(d), and include refusal to grant or renew a license, public or private reprimand, suspension for definite or indefinite periods with conditions, limitation or restriction of license, revocation, fines, and fees. as follows:

4.

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

* * *

(2) Knowingly made misleading, deceptive, untrue, or fraudulent representations in the practice of a profession licensed. . . under this chapter or in any document connected therewith;

* * *

(3) Been convicted of a felony in the courts of this state or any other state, territory, country, or of the United States. As used in this paragraph, the term “conviction of a felony” shall include a conviction of an offense which if committed in this state would be deemed a felony under either state or federal law, without regard to its designation elsewhere. As used in this paragraph, the term “conviction” shall include a finding or verdict of guilt, a plea of guilty resulting in first offender status, or a plea of nolo contendere in a criminal proceeding, regardless of whether the adjudication of guilt or sentence is withheld or not entered thereon;

(4) Committed a crime involving moral turpitude, without regard to conviction; the conviction of a crime involving moral turpitude shall be evidence of the commission of such crime. As used in this paragraph, the term “conviction” shall have the meaning prescribed in paragraph (3) of this subsection. For the purpose of this chapter, a conviction or plea of guilty or of nolo contendere to a charge or indictment by either federal or state government for income tax evasion shall not be considered a crime involving moral turpitude;

* * * *

(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. As used in this paragraph, the term “unprofessional conduct” shall include any departure from, or failure to conform to, the minimum standards of acceptable and prevailing medical practice and shall also include, but not be limited to, the prescribing or use of drugs, treatment, or diagnostic procedures which are detrimental to the patient as determined by the minimum standards of acceptable and prevailing medical practice or by rule of the board;

* * * *

(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; or violated a lawful order of the board previously entered by the board in a disciplinary hearing;

O.C.G.A. § 43-34-8(a)(2), (3), (4), (7), (10).

5.

In this case, the Board proved by a preponderance of the evidence that Respondent pleaded guilty to and was convicted of the felony offense of False Statements Relating to Health Care Matters. Further, the uncontradicted evidence established that according to the Plea Agreement, Respondent had knowingly made misleading, deceptive, untrue, or fraudulent representations in the practice of medicine, or in a document connected therewith, in stating that he had examined a patient and found certain medical equipment was necessary, when in fact he had not examined the patient beyond a brief telephone conversation, and that such statements involved health care benefits, items, and service involving the Medicare Program. The above-

referenced representations constitute unprofessional conduct under O.C.G.A. § 43-34-8(a)(7).

6.

In considering the sanctions authorized as a result of the above-referenced conviction, O.C.G.A. § 43-1-19(q) offers the following guidance:

(1) Notwithstanding paragraphs (3) and (4) of subsection (a) of this Code section or any other provision of law, and unless a felony or crime involving moral turpitude directly relates to the occupation for which the license is sought or held, no professional licensing board shall refuse to grant a license to an applicant therefor or shall revoke the license of an individual licensed by that board due solely or in part to such applicant's or licensee's:

- (A) Conviction of any felony or any crime involving moral turpitude, whether it occurred in the courts of this state or any other state, territory, or country or in the courts of the United States;
- (B) Arrest, charge, and sentence for the commission of such offense;
- (C) Sentence for such offense pursuant to Article 3 of Chapter 8 of Title 42 or another state's first offender laws;
- (D) Sentence for such offense pursuant to subsection (a) or (c) of Code Section 16-13-2;
- (E) Sentence for such offense as a result of a plea of nolo contendere; or
- (F) Adjudication of guilt or sentence was otherwise withheld or not entered.

(2) In determining if a felony or crime involving moral turpitude directly relates to the occupation for which the license is sought or held, the professional licensing board shall consider:

- (A) The nature and seriousness of such felony or crime involving moral turpitude and the relationship of such felony or crime involving moral turpitude to the occupation for which the license is sought or held;
- (B) The age of the individual at the time such felony or crime involving moral turpitude was committed;
- (C) The length of time elapsed since such felony or crime involving moral turpitude was committed;
- (D) All circumstances relative to such felony or crime involving moral turpitude,

including, but not limited to, mitigating circumstances or social conditions surrounding the commission of such felony or crime involving moral turpitude; and

- (E) Evidence of rehabilitation and present fitness to perform the duties of the occupation for which the license is sought or held.

O.C.G.A. § 43-1-19(q).

7.

Respondent's arrest, charge, and sentence for False Statements Relating to Health Care Matters directly relates to his occupation as specified by O.C.G.A. § 43-1-19(q)(1). The activity involves the Respondent's false and misleading representations involving medical necessity of equipment provided by Medicare, which is directly related to the practice of medicine.

8.

As set forth above, Respondent did not appear, and there is no evidence in mitigation in the record. Moreover, the criminal conduct directly relates to the Respondent's profession and the nature of the felony is serious. At the time of the offense, Respondent had been practicing medicine for approximately eighteen years, and there is no evidence presented regarding rehabilitation or present fitness to engage in his occupation. *See* O.C.G.A. § 43-1-19(q)(2) (A), (B), (C), (D), (E).

III. SANCTION

Georgia Code section 43-34-8(b) authorizes the Board to discipline a licensee upon a finding that the licensee has engaged in unprofessional conduct or has violated the Board's rules. When the Board finds that a physician should be disciplined, it may, among other things, suspend for a definite or indefinite period. Finally, the Board may impose a fine or fee of up to \$3,000.00 for each violation of law, rule or regulation, or in a reasonable amount to reimburse the Board for administrative costs. O.C.G.A. § 43-34-8(b)(1)(G), (H). Respondent's conduct constitutes sufficient grounds to sanction Respondent's medical license. Moreover, in the

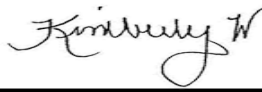

absence of any evidence of mitigation, the Court concludes that an indefinite suspension, with conditions set forth below, is the appropriate sanction given the nature and severity of the violation and its direct relationship with the practice of medicine.

IV. DECISION

For the above and foregoing reasons, Respondent's medical license is hereby **INDEFINITELY SUSPENDED**. Respondent shall be eligible to petition to lift said suspension upon showing the Board documentation of completion of the following terms:

- 1) Fine. The Respondent shall submit to the Board a fine in the amount of three thousand dollars (\$3,000.00), payable by cashier's check or money order, to the Georgia Composite Medical Board, 2 Peachtree St. NW, 6th Floor, Atlanta, GA, 30303, attn.: Executive Director.
- 2) Continuing Medical Education. The Respondent shall complete ten (10) hours of continuing education approved by the Board in the area of ethics. Such coursework and hours shall be in addition to, and shall NOT be used to satisfy, continuing education hours for license renewal purposes.

SO ORDERED, this 22nd day of July, 2022.



Kimberly W. Schroer
Administrative Law Judge



NOTICE OF INITIAL DECISION

Attached is the Initial Decision of the administrative law judge. A party who disagrees with the Initial Decision may file a motion with the administrative law judge and/or an application for agency review.

Filing a Motion with the Administrative Law Judge

A party who wishes to file a motion to vacate a default, a motion for reconsideration, or a motion for rehearing must do so within 10 days of the entry of the Initial Decision. Ga. Comp. R. & Regs. 616-1-2-.28, -.30(4). All motions must be made in writing and filed with the judge's assistant, with copies served simultaneously upon all parties of record. Ga. Comp. R. & Regs. 616-1-2-.04, -.11, -.16. The judge's assistant is Devin Hamilton - 404-657-3337; Email: devinh@osah.ga.gov; Fax: 404-657-3337; 225 Peachtree Street NE, Suite 400, South Tower, Atlanta, Georgia 30303.

Filing an Application for Agency Review

A party who seeks review by the referring agency must file an application for agency review within 30 days after service of the Initial Decision. O.C.G.A. §§ 50-13-17(a), -41. **In nearly all cases, agency review is a prerequisite for judicial review.** O.C.G.A. § 50-13-19(a).

The application for agency review must be filed with: . Copies of the application for agency review must be served upon all parties of record and filed simultaneously with the OSAH Chief Clerk at 225 Peachtree Street NE, Suite 400, South Tower, Atlanta, Georgia 30303. If a timely application for agency review is not filed and the referring agency does not review the Initial Decision on its own motion, the Initial Decision will become the Final Decision of the referring agency by operation of law. O.C.G.A. §§ 50-13-17(a), -41.