

Georgia Composite Medical Board



Fiscal Year 2019 Annual
Report and Newsletter



Georgia Composite Medical Board

Fall 2019 Newsletter and Fiscal Year 2019 Annual Report

Inside this issue:

- List of Board Members and Committees, page 3
- Prescription Drug Monitoring Program, page 4
- New Legislation, page 4
- Recently Adopted Rules, page 5
- Reminders from the Board, page 5
- Annual Report, page 7
- Board Disciplinary Action Report, page 11
- Board Management Staff, page 13
- Upcoming Meetings, page 14
- Upcoming State Holidays, page 14
- Active License Count, page 14

Board Elects New Leadership for FY 2020



Pictured: Barby Simmons, DO, Vice Chair (left) and Gretchen Collins, MD, Chair (right)

The Georgia Composite Medical Board voted at the June 11, 2019, meeting to elect Gretchen Collins, MD, as its new chairperson through June 2020. "I am truly honored that my colleagues have given me this opportunity to lead and serve the board," Dr. Collins said. "I am looking forward to building on the successes of the past years and taking this Board to new heights."

Gretchen Collins, MD, is a board-certified psychiatrist with extensive experience in both public and private settings. She earned her medical degree from the University of Missouri-Kansas City School of Medicine and completed her residency at Emory University & affiliated hospitals. Dr. Collins is dedicated to the continuous learn-

ing for herself and others in her industry, and has held positions as a clinical professor and as a researcher in clinical trials. She is an American Psychiatric Association Fellow and has been awarded as a Diplomat in the American Board of Psychiatry and Neurology. Compelled to uplift those in need, Dr. Collins has served as the Voice of the Poor for her local Saint Vincent de Paul conference for several years.

Barby Simmons, DO, received her medical degree from Nova Southeastern College of Osteopathic Medicine and completed her Family Medicine Residency at the University of Mississippi Medical School. She joined Permanent Medicine, Georgia in 2010 and has held many clinical and leadership roles in the organization. She is currently the Lead Physician of Virtual Care. She is a member of the Georgia Osteopathic Medical Association, the Medical Association of Atlanta, and the Medical Association of Georgia.

The Board thanks Dr. J. Jeffrey Marshall, Dr. B. K. Mohan, Dr. Joe Sam Robinson, and Michael Fowler, Sr., CFSP, for their faithful service to the Board and to the citizens of Georgia.

Members of the Georgia Composite Medical Board

Gretchen Collins, MD
Chairperson
 Lawrenceville

Barby Simmons, DO
Vice Chairperson
 Atlanta

John S. Antalis, MD
Past Chairperson
 Dalton

Debi Dalton, MD
 Powder Springs

E. Daniel DeLoach, MD
Past Chairperson
 Savannah

Charmaine Faucher, PA-C
Ex-Officio Member
 Kennesaw

Alexander S. Gross, MD
Past Chairperson
 Atlanta

Thomas Harbin, Jr., MD
 Atlanta

Rob Law, CFA
Consumer Member
 Atlanta

Matthew W. Norman, MD
 Atlanta

David W. Retterbush
Past Chairperson
 Valdosta

Andrew Reisman, MD
 Atlanta

Richard L. Weil, MD
Past Chairperson
 Atlanta

Board Committees

1. The **Investigative Committee** (4 Board members) examines initial complaints, results of all investigations, and medical malpractice reports.
2. The **Physician Licensing Committee** (4 Board members) evaluates each applicant's fitness to practice by establishing and applying standards for licensure and practice; reviews all non-routine applications; sets policies for staff on how to handle non-routine applications.
3. The **Wellness Committee** (5 Board members) reviews all cases in which a practitioner's practice might be affected by a behavioral, cognitive, physical, or substance use issue; meets with the practitioner and his or her advocates and treatment providers to assess the individual situation and ability to return to practice; recommends restrictions or sanctions as warranted.
4. The **Rules Committee** (all Board members) develops rules to govern the performance of practitioners regulated by the Board; assists in defining, assessing, and assuring the continued competency of all licensees throughout their careers.
5. **Advisory Committees** (each with at least 2 Board members, plus practitioners from the professional community) for each profession regulated — **Perfusion, Acupuncture, Respiratory Care, Physician Assistant, Orthotists & Prosthetists, APRN Protocol, Cosmetic Laser Professionals, Pain Management, and Genetic Counselors.**

Prescription Drug Monitoring Program (PDMP)

If you have a current DEA — regardless if you have written a prescription or use your DEA — **YOU MUST REGISTER!**

1. Dispensers are required to enter prescription information for Schedule II, III, IV controlled substances within 24 hours.
2. All prescribers were required to register in the PDMP by January 1, 2018. If you are currently registered, you do not need to re-register.
3. Prescribers are required to check the PDMP before prescribing opiates or cocaine derivatives in Schedule II drugs or benzodiazepines. This requirement applies to the first time a prescriber checks the PDMP and every 90 days thereafter.
4. Under the new law, prescribers and dispensers are allowed to register two delegates (staff without a DEA number) per shift or rotation to check the PDMP and enter prescription information.

Continuing Medical Education (CME):

Effective January 1, 2018, every physician not subject to Rule 360-15-.01(3) who maintains an active DEA certificate and prescribes controlled substances, except those holding a residency training permit, shall complete at least once three or more hours of AMA/AOA PRA Category 1 CME that is designed specifically to address controlled substance prescribing practices. The controlled substance prescribing CME shall include instruction on controlled substance prescribing guidelines, recognizing signs of the abuse or misuse of controlled substances, and controlled substance prescribing for chronic pain management. The certification of such completion must occur at the first renewal following January 1, 2018 or the first renewal following licensure.

Help Using and Registering with the PDMP

Register at georgia.pmpaware.net/login. If you have any questions about the PDMP or registering, please send an email to pdmpsupport@dph.ga.gov or call 404-463-1517.

PENALTIES FOR FAILURE TO REGISTER

- Fine up to \$3,000.00
- Public Consent Order
- Reportable to the National Practitioner Databank
- Could impact your ability to obtain jobs and insurance premiums

New Legislation

During the last legislation session the Board received the following legislation from the General Assembly:

- ◆ **HB 166** Genetic Counselors – establishes licensure requirements for genetic counselor applicants.
- ◆ **SB 118** Telehealth – establishes licensure requirements for physicians that do not reside in Georgia to practice telemedicine.
- ◆ **SB 16** Interstate Medical Compact — establishes licensure through the Interstate Compact.

Recent Rules Adopted by the Board

The Board periodically sends notifications by email about Rules hearings, newsletters and important licensure-related news. If you would like to receive these notifications, please email medbd@dch.ga.gov.

Newly Adopted Rules

Rule 360-13-.01 "Requirements for Board Certification" Changes to Respiratory Care Examination Requirements

Rule 360-30-.01 "Federal Student Loan Default" Law changed the requirement to suspend a license for student loan default

Update on Recent Rules Hearings

Adopted by the Board and sent to Governor's Office of Planning and Budget for review in FY 2020:

Rule 360-6-.11 "License Renewal" (Acupuncture) – changes the continuing education requirement.

The following Rules change the requirement for International Medical School Graduates:

Rule 360-2-.1 Requirements for Licensure

Rule 360-2-.14 Requirements for International Medical Schools Approval

Reminders from the Board

Renewal Information

1. *The Board no longer mails you renewal notices.* Renewal notices are now sent by email only. If the Board does not have your email address, please send your email address to medbd@dch.ga.gov.
2. *The Board has a new renewal site.* If you have an old renewal site saved, please delete it from your browser and use our new site, gcmb.mylicense.com/egov.
3. *Can I work on an expired license?* No, your expiration date is the date your license expires. You can still renew your license with a late fee up to 90 days after expiration. After the 90-day period, your license will lapse and you must reinstate your license.

Investigations

4. If you are contacted by the Board for an interview, this is your opportunity to tell your side of the story regarding a complaint. Please respond to all board inquiries.

Delegation of Duties

5. *Can I authorize a medical assistant to perform laser duties or remove skin? Who can perform "laser" fat reduction (cryolipolysis and cavitation) and cosmetic procedures using radiofrequency, ultrasound, microwave, and other non-light based energy emitting devices?*

Under Georgia law, these procedures may be performed by a physician, a physician assistant with an approved additional duty request, or an APRN as part of an approved nurse protocol agreement. These procedures are considered the practice of medicine and cannot be delegated to unlicensed individuals such as medical assistants. The Cosmetic Laser license does NOT provide actual authority under the law to use these devices, and recommends that at the very minimum a physician be physically present on site when these devices are being utilized by licensees. Injuries caused by use of these devices in these circumstances may constitute practice below minimum standards.

Reminders from the Board (continued)

General Information

7. *License numbers:* When using your license number, you do not need to include the leading zeros.
8. *If I am planning to retire, what should I do with my medical records?*

See **Unprofessional Conduct Rule 360-3-.02** regarding:

(16) Failing to maintain patient records documenting the course of the patient's medical evaluation, treatment, and response.

(a) A physician shall be required to maintain a patient's complete medical record, which may include, but is not limited to, the following: history and physical, progress notes, X-ray reports, photographs, laboratory reports, and other reports as may be required by provision of the law. A physician shall be required to maintain a patient's complete treatment records for a period of no less than 10 years from the patient's last office visit.

(b) The requirements of this rule shall not apply to a physician who has retired from or sold his or her medical practice if:

1. such physician has notified his or her active patients of retirement from or sale of practice by mail, at the last known address of his or her patients, offering to provide the patient's records or copies thereof to another provider of the patient's choice and, if the patient so requests, to the patient;

2. has caused to be published, in the newspaper of greatest circulation in each county in which the physician practices or practiced and in a local newspaper that serves the immediate practice area, a notice which shall contain the date of such retirement or sale that offers to provide the patient's records or copies thereof to another provider of the patient's choice, and if the patient so requests, to the patient; and

3. has placed in a conspicuous location in or on the facade of the physician's office, a sign announcing said retirement or sale of the practice. The sign shall be placed 30 days prior to retirement or the sale of the practice and shall remain until the date of retirement or sale.

4. Both the notice and sign required by Rule 360-3-.02 shall advise the physician's patients of their opportunity to transfer or receive their records.

Declaration of Patients' Rights — Rule 360-27-.02

(1) Physicians are required to post a declaration of the patient's rights to file a grievance with the Board concerning a physician, staff, office, or treatment received.

(2) The declaration shall contain the following language with no alterations, deletions, or additions:

The patient has the right to file a grievance with the Georgia Composite Medical Board, concerning the physician, staff, office, and treatment received. The patient should send a written complaint to the Board. The patient should be able to provide the physician or practice name, the address and the specific nature of the complaint. Complaints or grievances may be reported to the Board at the following address or telephone number:

**Georgia Composite Medical Board
Attn. Complaints Unit
2 Peachtree Street, N.W. 6th Floor
Atlanta, GA 30303
(404) 656-3913
www.medicalboard.georgia.gov**

(3) The declaration shall be prominently displayed in a sign that is 8 1/2 x 11 inches in type that is no smaller than 24 point Times Roman print in black on white background. It shall be displayed in the physician's waiting room in an area that is not obstructed and can be easily viewed by patients.

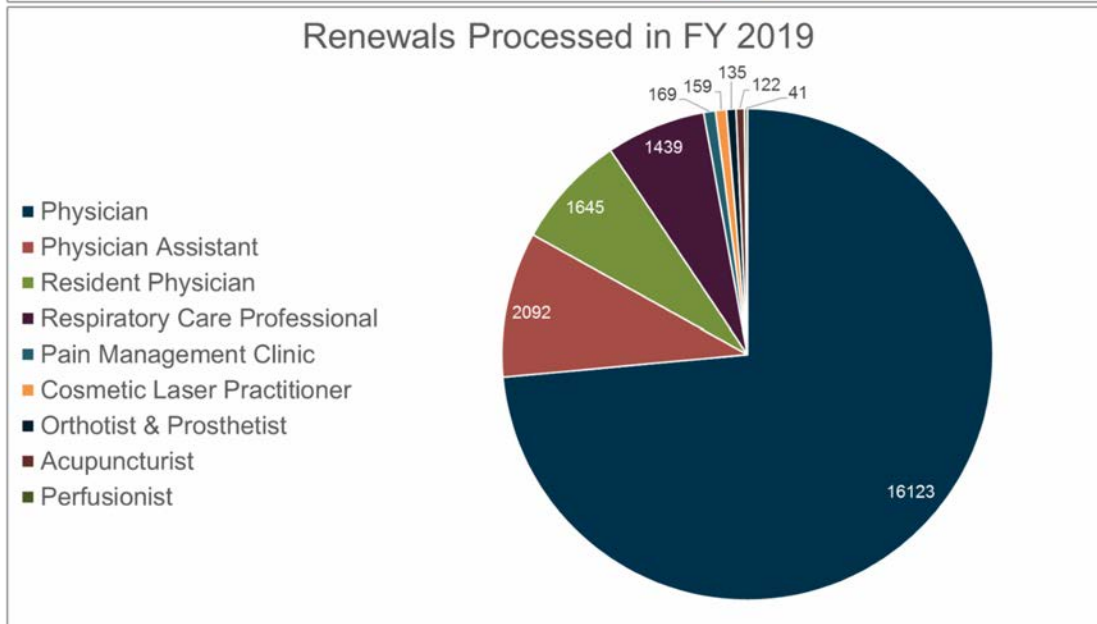
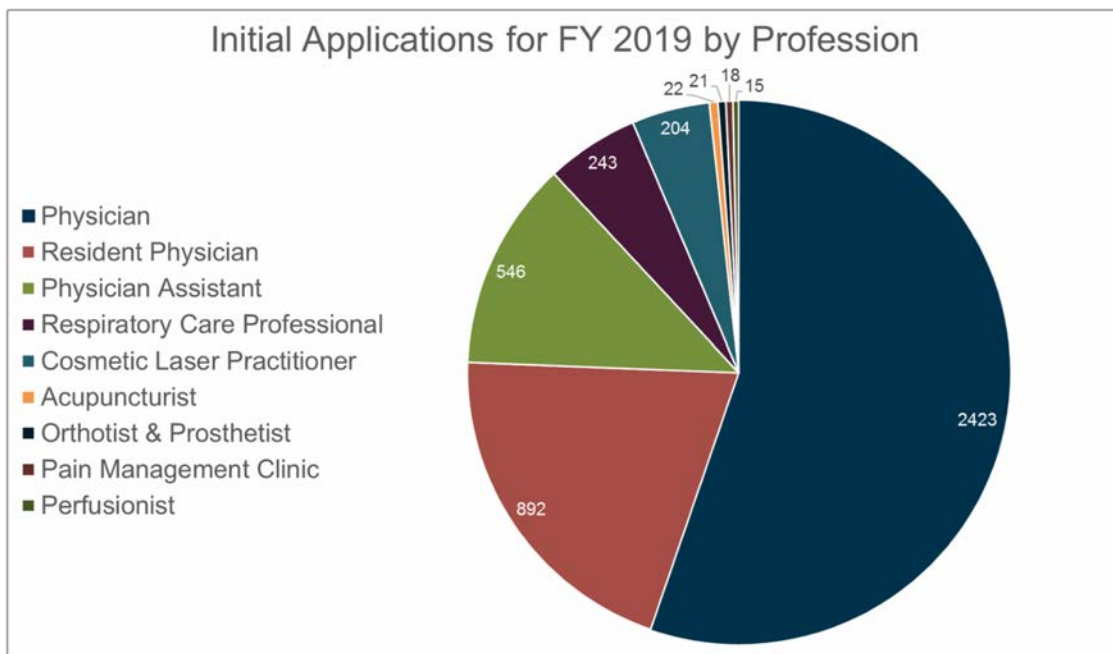
Annual Report for Fiscal Year 2019

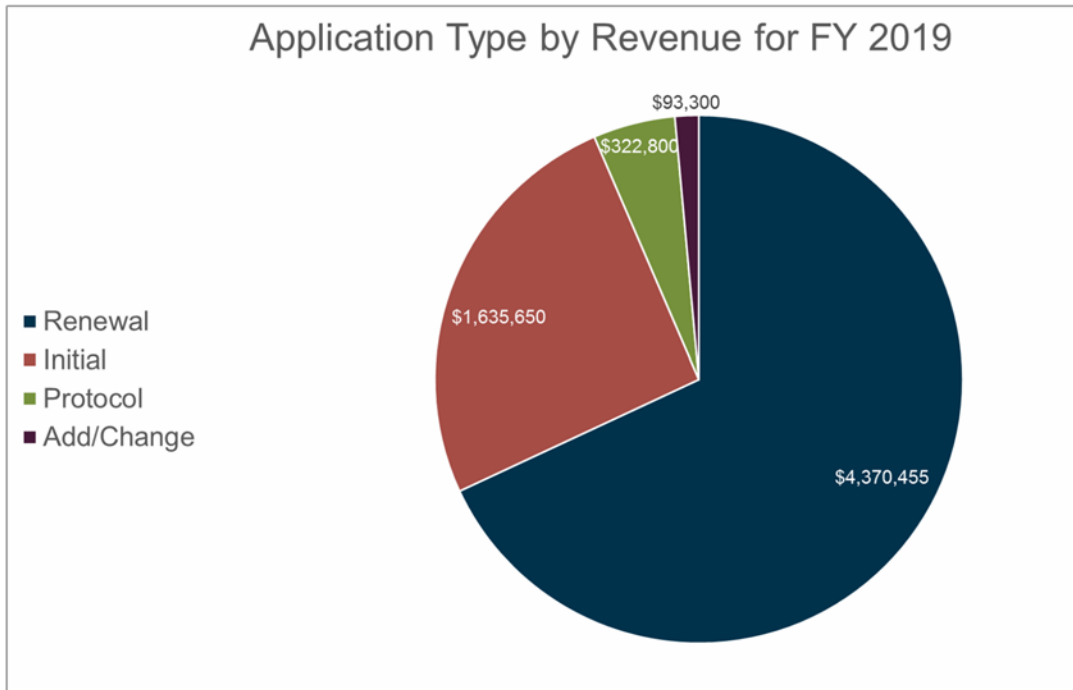
Licensure

The Board is responsible for protecting the citizens of Georgia by ensuring that qualified healthcare providers have the education, training, and ability to practice with skill and safety. The Board also reviews Advanced Practice Registered Nurse protocols for prescriptive authority.

During FY 2019, the Board received **4,386** applications and issued **4,819*** new licenses. The Board also processed **21,925** renewal applications and renewed **24,764*** licenses. From applications, the Board generated **\$6,422,205** in revenue.

*Applications received during one fiscal year may be processed during the next fiscal year.

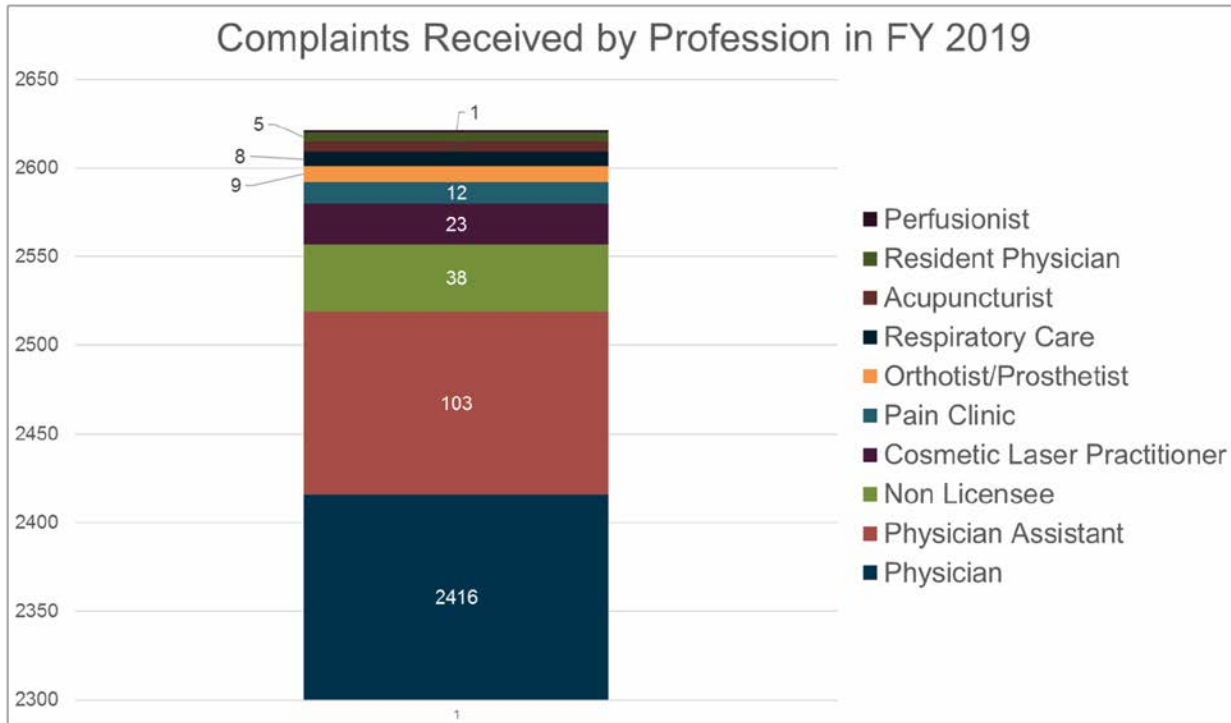


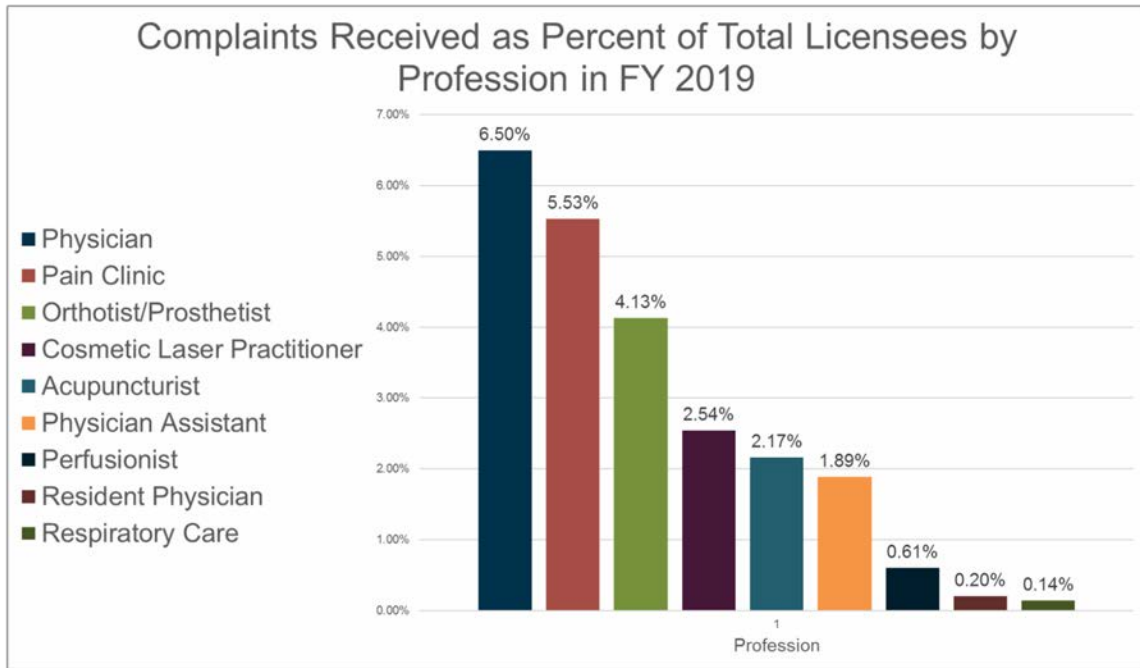


Enforcement

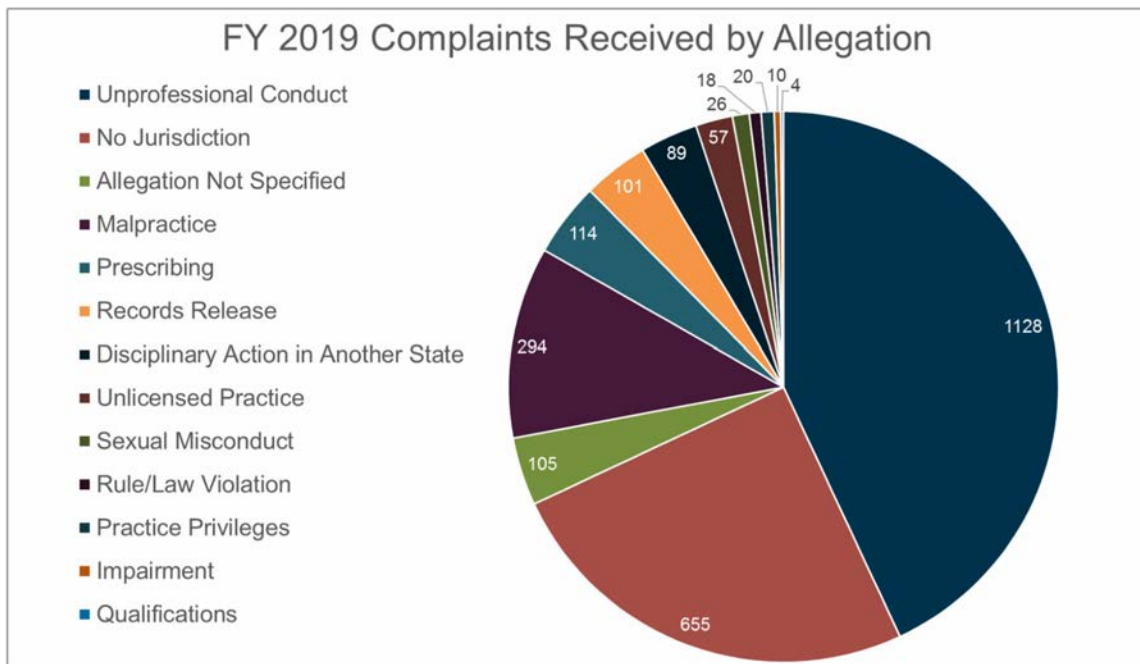
The Georgia Composite Medical Board is responsible for regulating and enforcing the *Medical Malpractice Act* and the Rules adopted by the Board.

During FY 2019, the Board received **2,621** new complaints, a **13%** increase from FY 2018. Of the allegations, **1,966** were found to be within the jurisdiction of the Board either as a Matter Under Investigation (MUI) or required an agent investigation.





Percent of total licensees was calculated using the Board's Active License Count on December 9, 2019 (see page 14).



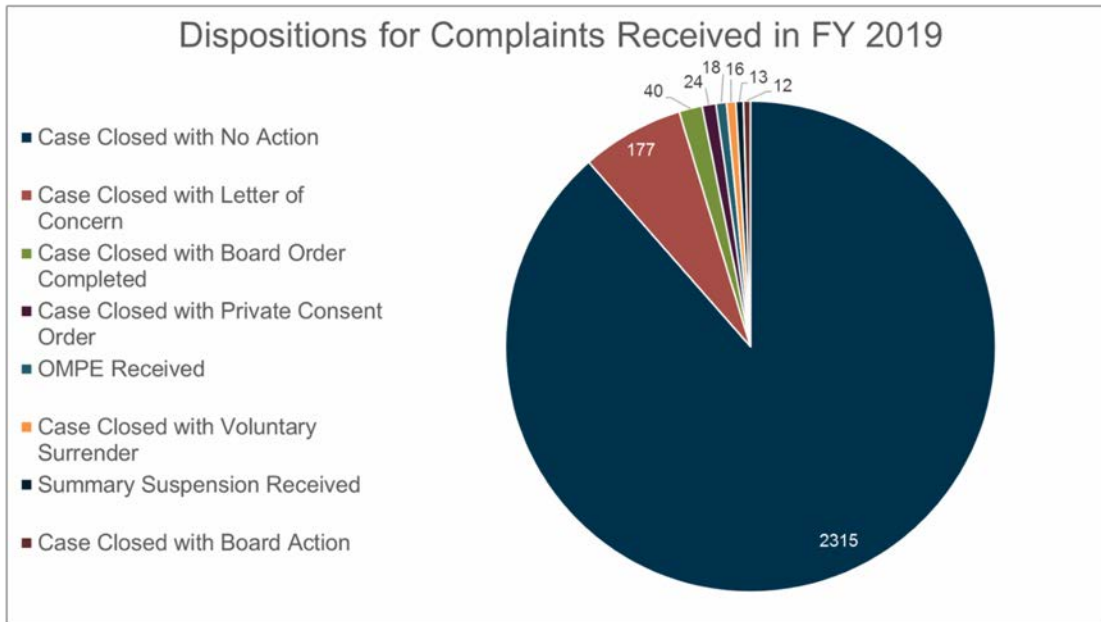
The category “no jurisdiction” accounts for complaints not in the Board’s jurisdiction because they:

- ◆ involve dentists or podiatrists that are not licensed by the Board
- ◆ involve billing disputes, which the Board does not investigate
- ◆ do not involve follow-up information or are made anonymously with insufficient information

One complaint may contain multiple allegations.

Discipline

During FY 2019, the Board issued **81** public sanctions against licensees through various dispositions.



Finance

The Georgia Composite Medical Board operates with a budget appropriated by the General Assembly and certain administrative fees. The services that the Board provides to the people of Georgia are delivered in an efficient, cost-effective manner.

In FY 2019, the Board's total budget was **\$2,957,846**, appropriated by the General Assembly, with which the Board enhanced the health and safety of Georgia's patients through its licensing and regulatory activities. During the year, the Board collected **\$7,091,676**, more than double that amount in fees, which were turned over to the state's treasury.

This is a **139.76%** return on investment on the budget granted by State Legislature. These funds are returned to the general treasury.

Revenue Collected, FY 2019

| Fee Category | FY 2019 | Percent Change from FY 2018 |
|-----------------------------------|-----------------------|-----------------------------|
| Renewal Fee | \$4,370,455.00 | -3.19% |
| Application & Other License Fees | \$2,138,750.00 | -3.52% |
| Fines & Enforcement Cost Recovery | \$135,585.00 | +137.34% |
| Other Administrative Fees | \$446,886.00 | +30.31% |
| Total Revenue Collected | \$7,091,676.00 | -0.55% |

Board Disciplinary Action Report

The following report lists public disciplinary actions taken by the Board between July 2018 and June 2019. These cases have been investigated and are now part of the public record. Although every effort is made to ensure that the information is correct, you should read the order in its entirety. The Board may include several provisions in an order, and the description of the discipline in this report may not reflect all the actions in the order. You may view these public orders on our website at <https://medicalboard.georgia.gov>.

Revocations, Voluntary Surrenders, and Suspensions

| Profession | License | Name | Order | Date |
|------------|---------|--------------------------|---------------------|------------|
| Physician | 22983 | BURTON, MANLEY FRANCIS | Suspension | 09/20/2018 |
| Physician | 38600 | SALINAS, JOHN YOLMAN | Revocation | 09/21/2018 |
| Physician | 34023 | MAYFIELD, MICHAEL EUGENE | Suspension | 09/27/2018 |
| Physician | 38140 | GRIFFIS, MARK | Voluntary Surrender | 12/06/2018 |
| Physician | 25677 | TANNER, MARK LESLIE | Suspension | 01/13/2019 |
| Physician | 39026 | AHMED, ALY ABBAS | Suspension | 01/17/2019 |
| Physician | 75206 | DI BLASI, JOHN JAMES | Voluntary Surrender | 03/07/2019 |
| Physician | 24320 | PATEL, NATVARIAL MANILAL | Voluntary Surrender | 03/07/2019 |
| Physician | 31700 | BEESON, TOMMY CHARLES | Voluntary Surrender | 04/17/2019 |

Public Reprimands and Probation

| Profession | License No. | Name | Order | Date |
|------------|-------------|-------------------------------|------------------|------------|
| Physician | 53781 | MCCOWAN, KEVIN GARY | Public Reprimand | 07/12/2018 |
| Physician | 55757 | HASAN, SYED SAJID | Public Reprimand | 09/13/2018 |
| Physician | 38633 | HONEYCUTT, DEBORAH ANN TRAVIS | Public Reprimand | 09/17/2018 |
| Physician | 33123 | JONES, EDD COLBERT III | Public Reprimand | 10/04/2018 |
| Physician | 33123 | JONES, EDD COLBERT III | Probation | 10/04/2018 |

Public Reprimands and Probation (continued)

| Profession | License No. | Name | Order | Date |
|------------|-------------|------------------------------|------------------|------------|
| Physician | 42035 | PATTERSON, MARIAN ANTOINETTE | Public Reprimand | 10/05/2018 |
| Physician | 42035 | PATTERSON, MARIAN ANTOINETTE | Probation | 10/05/2018 |
| Physician | 46683 | HICKS, BRANDON KEMP | Public Reprimand | 11/02/2018 |
| Physician | 46683 | HICKS, BRANDON KEMP | Probation | 11/02/2018 |
| Physician | 24876 | WALKER, DON CANNON | Public Reprimand | 11/02/2018 |
| Physician | 62054 | JOHNSON, LORIE NICOLE | Public Reprimand | 12/06/2018 |
| Physician | 55290 | RAISIG, WILLIAM GEORGE | Public Reprimand | 12/06/2018 |
| Physician | 53035 | SMITH, KATHLEEN JEANNE | Public Reprimand | 12/06/2018 |
| Physician | 25677 | TANNER, MARK LESLIE | Public Reprimand | 01/13/2019 |
| Physician | 33534 | BRADY, MICHAEL NELSON | Public Reprimand | 04/03/2019 |
| Physician | 33534 | BRADY, MICHAEL NELSON | Probation | 04/03/2019 |
| Physician | 70274 | MALIA, VAN LEE | Public Reprimand | 04/11/2019 |
| Physician | 31857 | WINDSOR, ROBERT EARL | Public Reprimand | 04/12/2019 |
| Physician | 39829 | JALIL, KHALID | Public Reprimand | 05/02/2019 |
| Physician | 39829 | JALIL, KHALID | Probation | 05/02/2019 |
| Physician | 31014 | HARPER, JENNIFER MADGE | Public Reprimand | 06/13/2019 |

Public Fines

| Profession | License | Name | Date |
|------------|---------|-------------------------------|------------|
| Physician | 53781 | MCCOWAN, KEVIN GARY | 07/12/2018 |
| Physician | 55757 | HASAN, SYED SAJID | 09/13/2018 |
| Physician | 38633 | HONEYCUTT, DEBORAH ANN TRAVIS | 09/17/2018 |

Public Fines

| Profession | License No. | Name | Date |
|------------|-------------|------------------------|------------|
| Physician | 62054 | JOHNSON, LORIE NICOLE | 12/06/2018 |
| Physician | 55290 | RAISIG, WILLIAM GEORGE | 12/06/2018 |
| Physician | 53035 | SMITH, KATHLEEN JEANNE | 12/06/2018 |
| Physician | 25677 | TANNER, MARK LESLIE | 01/13/2019 |
| Physician | 70274 | MALIA, VAN LEE | 04/11/2019 |

Other Disciplinary Actions

| Profession | License No. | Name | Order | Date |
|------------|-------------|------------------------|-----------------------------|------------|
| Physician | 53781 | MCCOWAN, KEVIN GARY | Public Practice Restriction | 07/12/2018 |
| Physician | 38633 | HONEYCUTT, DEBORAH | CME | 09/17/2018 |
| Physician | 62054 | JOHNSON, LORIE NICOLE | CME | 12/06/2018 |
| Physician | 55290 | RAISIG, WILLIAM GEORGE | CME | 12/06/2018 |
| Physician | 33534 | BRADY, MICHAEL NELSON | Public Practice Restriction | 04/03/2019 |
| Physician | 70274 | MALIA, VAN LEE | CME | 04/11/2019 |
| Physician | 31014 | HARPER, JENNIFER MADGE | CME | 06/13/2019 |

Georgia Composite Medical Board Management Staff

LaSharn Hughes, MBA, Executive Director

Jonathan McGehee, Director of Investigations

Lisa R. Norris, MPH, Deputy Executive Director

Phyllis Douglas, JD, Legal Services Officer

Director **Phyllis White**, Executive Assistant

LaTisha Bias, Enforcement Supervisor

Carl Bedingfield, MD, Medical Director

Editor: Harini Indrakrishnan

Upcoming Board Meetings

| | |
|------------------|---|
| January 9, 2020 | Board Meeting 2 Peachtree Street, NW, 6th Floor Atlanta, GA 30303 |
| February 6, 2020 | Board Meeting 2 Peachtree Street, NW, 6th Floor Atlanta, GA 30303 |
| March 5, 2020 | Board Meeting 2 Peachtree Street, NW, 6th Floor Atlanta, GA 30303 |
| April 2, 2020 | External Board Meeting Emory University Atlanta, GA 30322 |

Active License Count on December 9, 2019

| | |
|--------------------------------------|---------------|
| Physicians* | 37,168 |
| Physician Assistants | 5,455 |
| Respiratory Care Professionals | 5,622 |
| Auricular Detoxification Technicians | 0 |
| Acupuncturists | 277 |
| Perfusionists | 165 |
| Residents in Training | 2,475 |
| Orthotists & Prosthetists** | 218 |
| Pain Management Clinics | 217 |
| Cosmetic Laser Practitioners*** | 904 |
| Total, all license types | 52,501 |

*Also includes Provisional, Institutional, and Volunteer in Medicine Physicians

**Includes professionals who are Orthotists, Prosthetists, and those who hold a dual license for O&P

***Includes Senior and Assistant Laser Practitioners

Upcoming State Holidays

The Board office will be closed in observance of the following holidays.

2020

Wednesday, January 1

New Year's Day

Monday, January 20

Martin Luther King, Jr's Birthday

Friday, April 10

State Holiday

Monday, May 25

Memorial Day

Friday, July 3

Independence Day

Monday, September 7

Labor Day

Monday, October 12

Columbus Day

Wednesday, November 11

Veterans Day

Thursday, November 26

Thanksgiving Day

Friday, November 27

State Holiday

Thursday, December 24

State Holiday

Friday, December 25

Christmas Day