

May 2016 Public Board Actions List

Georgia Composite Medical Board
Attn: **Mr. Reginald Hawthorne**, Public Records Unit
2 Peachtree Street, NW, 36th Floor
Atlanta, Georgia 30303-3465
PH: (404) 463-8903
FX: (404) 656-9723
Email: reginald.hawthorne@dch.ga.gov

The Board issued **three** public orders in May 2016. To view each Board order, click on the licensee's name below.

1. **Donatus O. Mbanefo, M.D.**

#069036

Physician

Interim Public Consent Order

2. **Imo F. Ndem, M.D.**

#060968

Physician

Final Decision

3. **David Williams, M.D.**

#015440

Physician

Final Decision

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF:

**Donatus O. Mbanefo, M.D.,
License No. 69036,**

Respondent.

GEORGIA COMPOSITE
MEDICAL BOARD

SEP 03 2016

DOCKET NUMBER:
20160045

INTERIM PUBLIC CONSENT ORDER

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

1.

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

2.

The Board has received information that on or about February 10, 2016, Respondent was indicted upon felony charges in the United States District Court for the Middle District of Georgia, Valdosta and Columbus Divisions.

3.

For purposes of entering into this Interim Consent Order, Respondent does not contest the findings of fact above. Respondent is not admitting to any of the charges or waiving any right to contest such charges but is agreeing that the Board may enter an interim order based on the findings without the necessity of a hearing. Respondent makes

no admission herein and reserves the right to contest allegations against him in any civil, criminal or other proceeding.

CONCLUSIONS OF LAW

Respondent's alleged conduct constitutes sufficient grounds for interim action by the Board 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-captioned matter.

ORDER

The Board having considered all the facts and circumstances of this case hereby orders, and Respondent agrees as follows:

1.

Respondent agrees that Respondent's license to practice medicine in the State of Georgia shall be suspended until resolution of the criminal charges pending against Respondent. During the period of suspension, Respondent shall not practice medicine in the State of Georgia. If Respondent practices medicine in the State of Georgia during the suspension then Respondent's license shall be subject to revocation, upon substantiation thereof. The Respondent acknowledges and agrees that the Board may show that Respondent's license is suspended on its data bank and may respond to public inquires that Respondent's license is suspended.

2.

During the period of suspension, Respondent shall continue to obtain continuing education as required by law and the Rules and Regulations of the Board and shall continue to pay the license renewal fee by and before each expiration date as established by the

Board. Failure to obtain the continuing education and pay the license renewal fee shall be grounds for the administrative revocation of Respondent's license without a hearing as provided by O.C.G.A. §43-1-19(1), with reinstatement within the discretion of the Board. Respondent acknowledges that when considering the reinstatement of an administratively revoked license, the Board has the authority to review and investigative file relating to the Respondent.

3.

Respondent shall notify the Board of the resolution of the criminal charges against Respondent within twenty (20) of such resolution. Upon notification there has been a resolution to the criminal charges, the Board is authorized to initiate disciplinary proceedings or otherwise resolve this matter. The Board reserves the right to add additional charges if and when disciplinary proceedings are initiated.

4.

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

5.

Nothing in this Interim Consent Order precludes the Respondent and Board from entering into a final settlement of the above-referenced matter by the surrender of his license or a final consent order between the parties.

6.

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 in this matter.

7.

Respondent acknowledges that he has read this Interim Consent Order and understands its contents. Respondent understands that he has the right to a hearing in his matter and freely, knowingly, and voluntarily waives that right at this time by entering into this Interim Consent Order. Respondent understands and agrees that a representative of the Department of Law may be present during the Board's consideration 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 further understands that this Interim Consent Order will not become effective until approved and docketed by the Board. Respondent understands that this Interim Consent Order, once approved and docketed, shall constitute a public record, evidencing interim action by the Board that may be disseminated as such. However, if this Interim Consent Order is not approved, it shall not constitute an admission against interest in this proceeding, or prejudice the right of the Board to finally adjudicate this matter.

Respondent hereby consents to the terms and sanctions contained herein.

Approved this 5th day of May, 2016.

GEORGIA COMPOSITE MEDICAL BOARD

(BOARD SEAL)



BY Alice House
ALICE HOUSE, M.D.
Chair Person

ATTEST: Robert Jeffrey
ROBERT JEFFREY
Executive Director

CONTESTED TO: *Donatus O. Mbanefo*
DONATUS O. MBANEFO, M.D.

AS TO DONATUS O. MBANEFO, M.D.
Sworn to and subscribed before me
this 14th day of April, 2016

Hope Odom
Notary Public
Muscogee County, Georgia
My Commission Expires
October 13, 2016

Hope Odom
NOTARY PUBLIC
My Commission Expires: 10/13/16

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF:

IMO F. NDEM, M.D.
License No. 60968,
Respondent.

*
*
*
*
*

GEORGIA COMPOSITE
MEDICAL BOARD

MAY 09 2016

DOCKET NUMBER:
2015 0024

FINAL DECISION

The above-styled matter came before the Georgia Composite Medical Board on May 5, 2016 for agency review of an Initial Decision. Appearing on behalf of the Board was Doris Williams-McNeely, Senior Assistant Attorney General. Imo Friday Ndem, M.D., Respondent, appeared without counsel on his own behalf.

An initial decision was issued by Administrative Law Judge Ronit Walker in the above matter on December 18, 2015, and Respondent was served with the decision on December 21, 2015. Respondent filed a Motion for Reconsideration which was denied by the Administrative Law Judge on January 13, 2016. When neither the Board nor the Respondent filed an application for review of the initial decision pursuant to O.C.G.A. Sections 50-13-17(a) and 50-13-41(e), a Final Decision issued on or about February 24, 2016. However, on or about March 8, 2016, it came to the Board's attention that a request by Respondent for reconsideration and agency review was lost in the mail system but received on or about January 8, 2016. The request for review was filed within the thirty (30) days to request a review as provided by O.C.G.A. §50-13-17(a) and within the thirty (30) day period that the Board is permitted to modify an initial decision and hold a review as provided by O.C.G.A. §50-13-41(e)(1). On or about March 15, 2016, the Board entered an Order Vacating the Final Decision and Extending Time For and Scheduling Review.

After conducting the agency review hearing, review of the whole record, and receipt and consideration of arguments, the Board hereby enters this Final Decision.

FINDINGS OF FACT

The Findings of Fact entered by the Administrative Law Judge in the initial decision are hereby adopted and incorporated by reference herein.

CONCLUSIONS OF LAW

The Conclusions of Law entered by the Administrative Law Judge in the initial decision are hereby adopted and incorporated by reference herein.

ORDER

Based on the foregoing, the recommendation of the Administrative Law Judge as to disciplinary sanctions against the Respondent's license to practice medicine in the State of Georgia is hereby adopted and set forth in this Final Decision as follows:

The Respondent's license is hereby REVOKED, effective upon docketing.

This 5th day of May, 2015.

GEORGIA COMPOSITE MEDICAL BOARD

BY:

Alice House, M.D.

ALICE HOUSE, M.D.
Chairperson

ATTEST:

Robert Jeffery
ROBERT JEFFERY
Executive Director



MAY 02 2016

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD
STATE OF GEORGIA

DOCKET NUMBER:
20160020

IN THE MATTER OF:

DAVID WILLIAMS, M.D.,
License No. 15440,

Respondent.

*
* BOARD DOCKET NO.:
* 20160020
*
* OSAH DOCKET NO. :
* PLB-CSBME-PHY-1620386

FINAL DECISION

On February 4, 2016, Administrative Law Judge (“ALJ”) Michael Malihi of the Office of State Administrative Hearings issued an Initial Decision which included Findings of Fact and Conclusions of Law. Respondent was served with a copy of the Initial Decision by certified mail on February 11, 2016. Respondent had until March 14, 2016, to file an application for agency review of the Initial Decision. O.C.G.A. §§ 1-3-1(d)(3) and 50-13-17(a) (2016). As of March 14, 2016, no application for agency review or request to extend the time for agency review has been received or filed with the Board. In the absence of an application to the agency for review of the Initial Decision or an order by the Board to review the Initial Decision, said Initial Decision becomes the Final Decision of the Board by operation of law pursuant to O.C.G.A. §§ 50-13-17(a) and 50-13-41(e)(1) (2016).

FINDINGS OF FACT

The Board hereby adopts and incorporates by reference the Findings of Fact contained in the Initial Decision.

CONCLUSIONS OF LAW

The Board hereby adopts and incorporates by reference the Conclusions of Law contained in the Initial Decision.

ORDER

The recommendation of the ALJ that the Board discipline Respondent by imposing a fine in the amount of \$9,000.00 is adopted and incorporated herein by reference. The Initial Decision

issued February 4, 2016, is hereby made the Final Decision of the Board. This Final Decision is effective upon docketing.

**GEORGIA COMPOSITE
MEDICAL BOARD**



BY:

Alice House, M.D.

ALICE HOUSE, M.D.
Chairperson

ATTEST:

Robert Jeffery

ROBERT JEFFERY, MBA
Executive Director
Georgia Composite Medical Board