June 2017 Public Board Actions List

Georgia Composite Medical Board
Attn: Ms. Latisha Bias, Public Records Unit
2 Peachtree Street, N.W., 36th Floor
Atlanta, Georgia 30303-3465
PH: (404) 657-3194
FX: (770) 357-1896
Email: latisha.bias@dch.ga.gov

The Board issued seven public orders in June 2017. To view each Board order, click on the licensee's name below.

1. Nevorn Sedella Hall Askari, M.D.
   28712
   Physician
   Voluntary Surrender

2. Richard Gerald Dukes, M.D.
   51875
   Physician
   Public Consent Order

3. David M. Katz, M.D.
   74741
   Physician
   Public Board Order Terminating -Non-Disciplinary Consent Order for Licensure

4. Gary Arlan Moore, M.D.
   36232
   Physician
   Public Consent Order

5. Fred Ernest Potts, IV, M.D.
   75324
   Physician
   Amendment to Public Consent Order for Licensure

6. Bernard Allan Ram, M.D.
   31309
   Physician
   Public Consent Order
7. William Earl Richardson, M.D.
26631
Physician
Voluntary Surrender
BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

IN THE MATTER OF:  
NEVORN SEDELLA HALL ASKARI, M.D.  
License No.: 028712

DOCKET NO.  

VOLUNTARY SURRENDER

I, Nevorn Sedella Hall Askari, MD, holder of License No. 028712 to practice as a physician in the State of Georgia, hereby freely, knowingly, and voluntarily surrender said license to the Board. I hereby acknowledge that this surrender shall have the same effect as a revocation of my license, and I knowingly forfeit and relinquish all right, title and privilege to practice this profession in the State of Georgia, unless and until such time as my license may be reinstated, in the sole discretion of the Board.

I understand that I have a right to a hearing in this matter, and I freely, knowingly, and voluntarily waive such right. I also understand that should any request for reinstatement be entertained by the Board, the Board shall have access to the entire investigative file in this matter.

This surrender shall become effective immediately upon acceptance thereof by the Board. I understand that this document will be considered to be a public record entered as the final disposition of disciplinary proceedings presently pending or which could be brought against me, and that this action shall be considered to be and may be recorded as a final order of the Board.

Sworn to and subscribed before me this __ th day of June, 2017.

Michael J. Brown  
NOTARY PUBLIC  
DeKalb County, GEORGIA

ACCEPTANCE OF SURRENDER

The Voluntary Surrender of License No. 028712 is hereby accepted by the Board, this 21st day of June, 2017.

BY:  
John S. Antaki, MD  
Board Chair  
Georgia Composite Medical Board

ATTEST:  
Robert Jeffery, Executive Director  
Georgia Composite Medical Board
BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF:

RICHARD GERALD DUKE, M.D.,
License No. 051875,
Respondent.

PUBLIC CONSENT ORDER

By agreement of the Georgia Composite Medical Board ("Board") and Richard Gerald Dukes, Respondent, the following disposition of this disciplinary matter is entered pursuant to the provisions of the Georgia Administrative Procedure Act, O.C.G.A § 50-13-13 as amended.

FINDINGS OF FACT

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

2. During or between the dates of May 1, 2013, and August 31, 2014, Respondent had a romantic relationship with a former patient and failed to give the notice required by Rule 360-3-02 (8). Respondent later hired the patient as an employee, and the romantic relationship ended.

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

CONCLUSIONS OF LAW

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

ORDER

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

1.

In addition to the continuing medical education required to be eligible for license renewal for all physicians, Respondent shall enroll in and successfully complete the mini-residency program entitled “Appropriate Prescribing of Controlled Substances” sponsored by the Mercer University College of Pharmacy and Health Sciences. Respondent shall submit to the Board documentation demonstrating the completion of this requirement within six (6) months from the docketing date of the Consent Order. Said documentation shall be sent to the attention of the Executive Director, Georgia Composite Medical Board, 2 Peachtree Street, NW, Atlanta, Georgia, 30303 or any subsequent address of the Board.

2.

In addition to the continuing medical education required to be eligible for license renewal for all physicians, Respondent shall enroll in and successfully complete the course entitled “Maintaining Proper Boundaries” sponsored by the Vanderbilt Center for Professional Health or an equivalent Board-approved course. If Respondent chooses to take an equivalent course, prior to taking the course, Respondent must submit a written request and receive written Board-approval for an equivalent course. Respondent shall submit to the Board documentation demonstrating the completion of this requirement within six (6) months from the docketing date.
of the Consent Order. Said documentation shall be sent to the attention of the Executive Director, Georgia Composite Medical Board, 2 Peachtree Street, NW, Atlanta, Georgia, 30303 or any subsequent address of the Board.

3.

Respondent shall participate in an intensive program such as one sponsored by www.pcsearch.com or an equivalent program approved by the Board. If Respondent chooses to participate in an equivalent program, Respondent must submit a written request and receive written Board-approval. Respondent shall submit to the Board documentation demonstrating the completion of this requirement within one (1) year from the docketing date of the Consent Order. Said documentation shall be sent to the attention of the Executive Director, Georgia Composite Medical Board, 2 Peachtree Street, NW, Atlanta, Georgia, 30303 or any subsequent address of the Board.

4.

Respondent shall submit to the Board a fine of ten thousand dollars ($10,000.00), to be paid in full by cashier’s check or money order made payable to the Georgia Composite Medical Board within one year of the docketing date of this Consent Order. Failure to pay the entire amount within the one-year period shall be considered a violation of this Order and shall result in further sanctioning of Respondent's license, upon substantiation thereof.

5.

Respondent shall abide by all State and Federal laws and rules and the terms of this Consent Order. If Respondent fails to abide by such laws, rules, or terms, Respondent’s license shall be subject to sanctions.
6.

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

7.

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

Approved, this 9th day of June, 2017.

GEORGIA COMPOSITE MEDICAL BOARD

BY: [Signature]
JOHN ANITALIS, M.D.
Chairperson
AS TO RESPONDENT
Sworn to and subscribed before me this 31 day of May, 2017
NOTARY PUBLIC
My commission expires: 9-1-2019

CONSENTED TO:
RICHARD GERALD DUKES, M.D.
Respondent

ATTEST: 
ROBERT JEFFERY, M.B.A.
Interim Executive Director
BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF:

DAVID M. KATZ, M.D.
License No. 74741,
Respondent.

PUBLIC BOARD ORDER TERMINATING
NON-DISCIPLINARY CONSENT ORDER FOR LICENSURE

1. The Georgia Composite Medical Board ("Board") entered a Public Non-Disciplinary Consent Order for Licensure ("Order") in the above-styled matter on or about August 6, 2016, Docket No. 20160005, which placed terms and conditions on Respondent's license to practice medicine in the State of Georgia. The Public Consent Order for Reinstatement was amended on January 5, 2017 extending the monitoring period an additional six (6) months.

2. On or about May 27, 2017, the Board received a petition from the Respondent to terminate the Non-Disciplinary Order. The Board reviewed the petition and Respondent’s compliance with the terms of the Order and determined Respondent has complied with the terms and conditions of the Order.

Based on the foregoing, 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 8th day of June, 2017.

GEORGIA COMPOSITE MEDICAL BOARD

BY:

JOHN S. ANTALIS, M.D.
Chairperson

ATTEST:

ROBERT JEFFERY, MBA
Executive Director
BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF:

GARY ARLAN MOORE, M.D.,
License No. 036232,
Respondent.

* *

PUBLIC CONSENT ORDER

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

FINDINGS OF FACT

1.

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

2.

On or about March 16, 2016, Respondent’s Tennessee license to practice medicine was disciplined by the Tennessee Board of Medical Examiners. In the matter of Gary Arlan Moore, M.D., Before the Tennessee Board of Medical Examiners, State of Tennessee Department of Health, No. 2012023061 (Mar. 16, 2016). In that case, Respondent’s license was placed on probation for two years, and, among other things, Respondent was prohibited from practicing in a pain management clinic and from providing pain management services.
3.

Respondent admits the above findings of fact and waives any further findings of fact.

CONCLUSIONS OF LAW

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

ORDER

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

1.

Respondent's license shall be placed on probation for a minimum of two years, or until terminated by written order of the Board, subject to the following terms and conditions:

(a) Practice Restriction. During the period of probation, Respondent is prohibited from practicing in a pain management clinic or providing pain management services. If Respondent violates this provision, Respondent's license may be subject to further disciplinary action, upon substantiation thereof.

(b) Abide by Laws, Rules, and Terms. Respondent shall abide by all State and Federal laws and rules and the terms of this Public Consent Order. If Respondent fails to abide by such laws, rules, or terms, Respondent’s license shall be subject to further sanctions.

(c) Termination of the Period of Probation. Respondent shall not be eligible to petition for early termination of probation until Respondent can demonstrate that he holds an active, unrestricted, unencumbered license to practice medicine in the State of Tennessee. Respondent’s
petition to terminate probation shall include, at a minimum: (1) a verification of licensure from Tennessee which indicates the current status of Respondent’s Tennessee license; and (2) a statement as to Respondent’s compliance with the terms of the instant Public Consent Order. Upon submission of such a petition to the Board, the Board shall have the discretion to grant or to deny the petition without a hearing. In the event that the Board denies Respondent’s petition, Respondent may petition every six (6) months thereafter. In any event, Respondent’s license shall remain on probation pending Respondent’s receipt of a written order terminating probation. Respondent’s petition shall not constitute a contested case.

2.

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

3.

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

Approved, this 9th day of June, 2017.

GEORGIA COMPOSITE MEDICAL BOARD

BY: JOHN S. ANTALIS, M.D.
Chairperson

ATTEST: ROBERT JEFFERY
Executive Director

CONSENTED TO: GARY ARLAN MOORE, M.D.
Respondent
AMENDMENT TO PUBLIC CONSENT ORDER FOR LICENSURE

WHEREAS, on or about January 7, 2016, Fred Ernest Potts, IV, M.D. ("Dr. Potts") entered into a Public Consent Order for Licensure ("Consent Order") with the Georgia Composite Medical Board ("Board"), Docket Number 2016-0028, which granted Dr. Potts a license to practice medicine in the State of Georgia subject to a period of probation with terms and conditions;

WHEREAS, one of the probationary terms restricts Dr. Potts’ ability to prescribe, administer, order, or dispense controlled substances until such time as he completes the Mercer University Southern School of Pharmacy course entitled the “Appropriate Prescribing of Controlled Substances” ("Mercer program") and until further order of the Board;

WHEREAS, the Order provides that Dr. Potts may petition the Board to lift the DEA restriction by showing that he has successfully completed the Mercer program and by submitting documentation directly from the Missouri State Board of Registration for the Healing Arts and the Missouri Bureau of Narcotics and Dangerous Drugs verifying that there are no pending investigations in Missouri at the time of his petition; the Consent Order further provides that, at such time, modifying or lifting of restrictions is in the Board’s discretion;

WHEREAS, on or about March 7, 2017, Dr. Potts petitioned the Board to lift the DEA restriction and “clear” his license; Dr. Potts provided evidence to the Board of a “Settlement Agreement Between the Missouri State Board of Registration for the Healing Arts and Fred E. Potts, IV, MD”, effective February 27, 2017, which settlement agreement the parties agreed constituted the disciplinary order entered by the Board, and in which Dr. Potts voluntarily surrendered his physician and surgeon’s license in Missouri in lieu of further discipline;
WHEREAS, Dr. Potts completed the Mercer program on or about May 23, 2016; and

WHEREAS, on or about May 4, 2017, Dr. Potts personally appeared before the Board regarding his petition, and the Board considered the petition.

NOW THEREFORE, the Board hereby modifies the Order as follows:

1. Order, Paragraph 1 (a) on page 3 of the Consent Order is lifted such that there are no longer any restrictions on Dr. Potts’ prescribing of controlled substances.

2. Except as provided herein, Dr. Potts’s license shall remain on probation and subject to all of the remaining terms and conditions as set forth in the Public Consent Order for Licensure of January 7, 2016. A violation of this Amendment to Public Consent Order for Licensure shall be considered a violation of a lawful order of the Board as if it were a violation of the January 7, 2016 Public Consent Order for Licensure.

3. The Amendment to Public Consent Order for Licensure shall become effective upon its acceptance by the Georgia Composite Medical Board and its docketing by the Executive Director of the Georgia Composite Medical Board.

Approved, this 21st day of January, 2017.

GEORGIA COMPOSITE MEDICAL BOARD

BY: JOHN S. ANATALIS, M.D.
Chairperson

ATTEST: ROBERT JEFFERY
Executive Director
BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF: )
) )
BERNARD ALLAN RAM, M.D., )
License Number 031309, )
Respondent. )

PUBLIC CONSENT ORDER

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

FINDINGS OF FACT

1.

Respondent is licensed to practice medicine in the State of Georgia and was licensed at all times relevant to the matters stated herein. Respondent’s license expires on October 31, 2017.

2.

Medical records show that on or about January 6, 2012, Respondent performed surgical procedures consisting of a Cysto Retrograde; Left Ureteroscopy with Laser Lithotripsy; and Insertion of double J stent on patient J.W. due to a 5mm obstructing proximal left-sided ureterolith, i.e. a kidney stone.

3.

Medical records further show that at the time of the diagnosis of the stone, a left renal mass was noted. On or about April 13, 2012 Respondent performed a left partial nephrectomy without complication. The patient had persistent left flank pain, and left hydronephrosis (swelling of the kidney) secondary to a ureteral stricture was diagnosed. CT scans relative to the
tumor had been obtained in March and May 2012 which demonstrated the marked left hydrenephrosis but it was not noted or managed for several months. In or about August 2012, Respondent performed an open reconstruction, however there was massive intraoperative bleeding and the procedure was converted into a nephrectomy. Patient J.W. died in the immediate post-operative period due to uncontrolled hemorrhage and multi-system organ failure.

4.

A Board approved peer reviewer reviewed Respondent’s medical care of patient J.W. and concluded that Respondent’s diagnosis, treatment, and recordkeeping departed from and failed to conform to the minimal standards of acceptable and prevailing medical practice in that there was a significant delay in diagnosing the left hydrenephrosis; and there was a delay in treatment. Additionally, the operative report did not mention bleeding, identification of the source, or efforts made to control it

5.

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

CONCLUSIONS OF LAW

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

ORDER

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

1.

In addition to the continuing medical education (CME) required of all Georgia physicians for license renewal, within six (6) months of the effective date of this Order, Respondent shall obtain, and provide documentation of successful completion to the Board of, twenty (20) hours of Board approved CME in the area of patient safety and intraoperative critical care.

2.

Respondent shall pay administrative fees in the amount of two hundred dollars ($200.00) as reimbursement to the Board of expenses incurred in the investigation of this matter, which expenses do not include time spent by the investigative division of the Board. Said fees shall be payable by certified check or money order to the Georgia Composite Medical Board within thirty (30) days of the effective date of this Order. 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.

3.

Respondent shall pay a fine in the amount of five hundred dollars ($500.00) for unprofessional conduct. Said fine shall be payable by certified check or money order to the Georgia Composite Medical Board within thirty (30) days of the effective date of this Order. 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.
4.

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, or if it should appearing from information 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, 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.

5.

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

6.

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

7.

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

Approved this 9th day of June, 2017.

GEORGIA COMPOSITE MEDICAL BOARD

BY: JOHN S. ANTALIS, M.D.
Chairperson
ATTEST:  
ROBERT JEFFERY  
Executive Director

CONSENTED TO:  
BERNARD ALLAN RAM, M.D.  
Respondent

[As to the signature of  
Bernard Allan Ram, M.D. only:]  
Sworn to and subscribed before me.  
This ___ day of ___________, 2017.

NOTARY PUBLIC  
My Commission Expires: 28th of February 2021

Notarized  
Bernard Allan Ram M.D.  
signature only
BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF:

WILLIAM EARL RICHARDSON, M.D.
License No. 026631,
Respondent.

VOLUNTARY SURRENDER

I, WILLIAM EARL RICHARDSON, holder of License No. 026631 to practice medicine in the State of Georgia pursuant to O.C.G.A. Ch. 34, T. 43, as amended, hereby freely, knowingly and voluntarily surrender said license to the Georgia Composite Medical Board. I hereby acknowledge that this surrender shall be considered to be and have the same effect as a revocation of my license, and I knowingly forfeit and relinquish all right, title and privilege of practicing medicine in the State of Georgia, unless and until such time as my license may be reinstated, in the sole discretion of the Board.

I acknowledge that I have read and understand the contents of this Voluntary Surrender. I understand that I have a right to a hearing in this matter, and I hereby freely, knowingly and voluntarily waive such right. I also understand that should the Board entertain any request for reinstatement, the Board shall have access to any investigative or medical information regarding me. I further understand that upon applying for reinstatement, it shall be incumbent upon me to demonstrate to the satisfaction of the Board that I am able to practice medicine with reasonable skill and safety to patients, and that the Board may investigate my conduct since the time of the surrender of my license. I understand and agree that any reinstatement of my license to practice medicine is a matter in the sole discretion of the Board and that the Board may deny any such reinstatement without identifying a reason for said denial.

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

[As to Respondent’s signature:]
Sworn to and subscribed before me
This 26th day of April, 2017.

WILLIAM EARL RICHARDSON, M.D.
Respondent

ACCEPTANCE OF SURRENDER

The voluntary surrender of License No. 026631 is hereby accepted by the Georgia Composite Medical Board, this 14th day of June, 2017.

GEORGIA COMPOSITE MEDICAL BOARD

BY: JOHN ANITALIS, M.D.
Chairperson

ATTEST: ROBERT JEFFERY
Executive Director