



ALABAMA Board of Medical Examiners Medical Licensure Commission

Newsletter and Report

www.albme.org

July 2016

A Message from the Executive Director

Development of prescribing course leads to AIM Award

At the 2016 annual meeting of the Administrators in Medicine organization (AIM), the Alabama Board of Medical Examiners was presented AIM’s “Best of Boards” Award. The award was presented to the Board for its development of continuing medical education activities, thereby enhancing consumer protection, physician education and promotion of the Board’s duties.

Almost 10 years ago, the members of the Board began expressing concern over the apparent lack of understanding and

knowledge in the appropriate prescribing of controlled substances. The lack of pharmacological knowledge by many physicians became evident during investigative interviews before the Credentials Committee. Previously, these physicians were referred to universities, such as Case Western Reserve and Vanderbilt University, for remediation courses. Following much discussion and consideration regarding the time and expense required to attend these out-of-state conferences, the Board decided to develop and present its own prescribing courses.

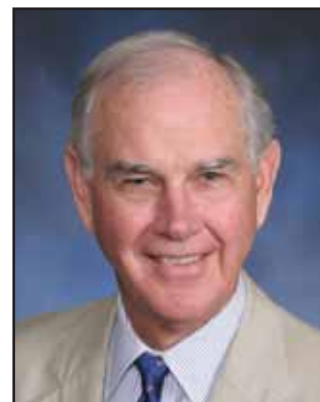
Partnering with the Medical Association, which is recognized by the Accreditation Council for Continuing Medical Education (ACCME), the Board began preparations for its first prescribing conferences for physicians. These initial events were offered on a weekend in April, August and November

in Montgomery, Destin, FL and Birmingham, respectively. The goal was to address appropriate prescribing of controlled substances and related issues specific to Alabama. Those attending the entire 8-hour conference received 8 *AMA PRA Category 1 Credits*™.

The first prescribing conference in 2007 had 60 in-state registrants. The second one had 85 physician learners and included 16 out-of-state attendees, traveling from California, Florida,

Georgia and Mississippi to attend. Attendance at the third course more than doubled to 180 attendees, seven of whom traveled from Texas and Pennsylvania. In recent years the courses have also been presented at educational meetings of physician assistants and advanced practice nurses in Alabama.

Recently, two generous grants from the FSMB Foundation allowed for the continuation of the extended-



Larry Dixon

release, long-acting (ER/LA) opioid risk evaluation and mitigation strategies (REMS) course, the blueprint for which was developed by the Food and Drug Administration (FDA).

As a result of the success of these activities, members of the Board began to identify other problem areas and collectively developed CME conferences to address the issues. In 2010, a Medical Ethics course was produced and has been offered in conjunction with the November prescribing courses each year since then. A Medical Records seminar was offered at the Medical Association’s 2015 Annual Meeting. Though these courses were designed as remediation for physicians whom the Board ordered to

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Medical Association honors BME Investigator Ed Munson

The Alabama Medical Association's William Henry Sanders Award is presented to an outstanding person, lay or professional, engaged in full-time public health work, and who has served above and beyond the call of duty. The Sanders Award was created in 1966 in honor of William Henry Sanders, MD, who served as Alabama's State Health Officer from 1886 to 1917. The 2016 recipient of the Sanders Award is Edward H. Munson Jr., Montgomery, Senior Investigator for the Alabama Board of Medical Examiners (ABME).

A native of Birmingham, Mr. Munson attended Huntingdon College where he received a Bachelor's degree in biology with a minor in psychology. He joined the Alabama Board of Medical Examiners in 1981.

Mr. Munson conducts various investigations ranging from patient complaints to controlled substance violations, quality of care and professional boundary violations. He has developed many activities to address prescribing problems with controlled substance abuse issues that are presented to county medical societies, hospital staffs and medical school residents. Appointed to the Federation of State Medical Boards/Administrators in Medicine



Jerry Harrison, MD, (left) and George "Buddy" Smith, MD, (right) present Ed Munson with the Sanders Award.

Planning Committee for Investigators, Mr. Munson helped develop curricula and instructional materials. In addition, Mr. Munson developed methods to streamline the complaint and investigative process for the Alabama BME to reduce unnecessary investigative time by half, allowing more time to be dedicated to serious complaints and investigations.

Mr. Munson, the first investigator recognized by the Medical Association, was also the recipient of the 2004 Administrators in Medicine Ronald K. Williamson Memorial Award that recognizes "Outstanding Investigative Services to a State Medical Board."

AIM Award, cont.

attend a course(s) in disposition of an investigation into their medical practice, the vast majority of participants attend of their own volition – some every year.

The course instructors are current and former board members, selected board investigative staff and other Alabama physicians chosen for their expertise and experience with these issues on a daily basis. The commitment of these

individuals is extraordinary: since 2007 they have prepared and presented more than 200 hours of instruction (all approved for *AMA PRA Category 1 Credit™*) to more than 4,000 attendees! I am not aware of any other state board whose members, during the normal course of business, identify problems then prepare and deliver accredited CME courses specifically designed to improve the standard of care required of physicians

practicing in their state. Our sincere appreciation goes to Drs. George C. (Buddy) Smith, Jr, Robert F. Allen, Steven P. Furr, Boyde J. (Jerry) Harrison, James A.C. Harrow, David P. Herrick, Ronald D. Franks, Paul J. O'Leary, Sandra K. Parker and T. Brooks Vaughan, III, as well as Daniel M. Doleys, PhD, and Richard Tucker, former US DEA Assistant, Special Agent.

Meet the new board members

Gregory W. Ayers, MD, FACP

Dr. Ayers, originally from Bowdon, Ga., is with Birmingham Hospitalists, P.C., in Birmingham. He is board certified in hospice and palliative medicine, internal medicine.

Dr. Ayers received his undergraduate degree in chemistry at West Georgia College in Carrollton, Ga.; his doctor of medicine degree from Mercer University School of Medicine in Macon, Ga.; and completed residency training with Baptist Health System in Birmingham. Dr. Ayers was chief resident and an instructor in internal medicine at Montclair and Princeton Baptist Medical Centers prior to joining the teaching faculty of Baptist Health System in internal medicine in 2004. In 2006 he joined Birmingham Hospitalists where he remains in practice.

In addition, Dr. Ayers is a medical director for Cigna-Healthspring, director of palliative medicine at Princeton Baptist Medical Center and medical director of Comfort Care Hospice, all in Birmingham.

Other positions held by Dr. Ayers are president of the Jefferson County Medical Society (2014), past chairman of the Princeton Baptist Medical Center Ethics Committee, chairman of the Jefferson County Board of Health and an appointment by Gov. Robert Bentley, MD, to the State Committee of Public Health, Council of Health Costs, Administration and Organization.

Dr. Ayers resides in Vestavia with his wife, Jeanie, and three children: Ella, Henry and Hannah Belle.



Gregory W. Ayers, MD, FACP

Jefferson Underwood, III, MD, FACP



Jefferson Underwood III, MD, FACP

Dr. Underwood is an internal medicine physician who joined his father's practice in Montgomery in 1986. In addition to his private practice, Dr. Underwood spends his "off time" seeing underinsured and uninsured patients at the Quality of Life Health Center, a federally funded health care center in Tuskegee.

Dr. Underwood graduated from Alabama State University (ASU) *summa cum*

laude with a degree in biology, earned his medical degree from Meharry Medical College in Nashville, Tenn., and completed an internship and residency in internal medicine at Georgetown University in Washington, D.C.

Dr. Underwood is a former adjunct professor of biology at ASU and member of the Alabama State Medicare Drug Utilization Committee. In 2012 he was appointed by Gov. Robert Bentley, MD, to the Alabama State Health Committee. He is a member of numerous national and local medical associations and societies; has served on the editorial board for the medical journal *Ethnicity*; and currently writes a regional health article for the *Montgomery Advertiser*.

Dr. Underwood has also earned several honors for his civic and community involvement including Outstanding Young Man in America, the Douglas L. Cannon Award, Howard L. Holley Award, and was recently named one of the top doctors in Montgomery by the International Association of Internal Medicine.

Dr. Underwood, his wife Sara and their sons, Slayton, Blake and Zachary, live in Montgomery.

2016 BME/MLC Meetings & Holiday Schedule

July 20 – Board meeting
July 27 – MLC meeting
August 17 – Board meeting
August 24 – MLC meeting
September 5 – Labor Day holiday
September 21 – Board meeting
September 28 – MLC meeting
October 19 – Board meeting

October 26 – MLC meeting
November 17 – Board meeting
November 24-25 – Thanksgiving holiday
November 30 – MLC meeting
December 14 – Board meeting
December 20 – MLC meeting
December 23 & 26 – Christmas holiday

Investigations of the BME: What happens when there is a complaint?

Recently, an article entitled, "Surviving a medical board investigation" appeared in the medical journal *Medscape*. Some information in this article could give the reader an inaccurate and distorted description of investigations conducted by the Alabama BME. To prevent possible misconceptions about Board investigations, the following article, which originally appeared in Volume 21, Number 3, has been reprinted.

Originally written by Ed Munson.

Revised 06.14.16.

The Alabama Board of Medical Examiners, by Alabama law, is the agency charged with physician oversight. One of its duties is to investigate situations brought to the Board's attention when there appear to be problems with medical care. The most common way for the Board to become involved is when a patient contacts it with a complaint about a physician. Another situation that may trigger an investigation is when a hospital revokes a physician's privileges involuntarily. There are other, less frequent, causes for an investigation.

When the Board receives a written complaint against a physician, an investigator contacts the complainant and discusses the situation. Often, this discussion leads to a resolution that satisfies the complainant and the matter goes no further. At times, it may be necessary for the investigator to contact the physician to obtain additional information; but frequently, the matter can be resolved without a formal investigation. If the complainant is not satisfied with these procedures, it is necessary for the Board to conduct a formal

investigation. This begins with an interview of the person making the complaint and an interview of the physician.

The investigators for the Alabama Board of Medical Examiners are experienced in medical inquiries. Each one has at least twenty years of performing formal investigations as sworn police officers, and each has had additional training for medical investigations.

When an investigator for the Board calls on a physician, he or she will provide a written copy of the complaint to the physician and provide a succinct explanation of the alleged problem. If he can, the investigator will answer questions from the physician. Based upon the interview with the complainant, the investigator may be able to answer questions more completely, and possibly, provide some pertinent information not contained in the written complaint. After a brief interview, which is documented as a part of his investigation, the investigator will ask the physician to review the chart and other pertinent documents and to write a response explaining his or her version of the situation. Meanwhile, the investigator will obtain documents from other physicians, pharmacies, hospitals, insurance companies, etc., as may be necessary to conduct a full investigation.

The investigator presents the findings from his investigation in a written report to the Board of Medical Examiners, which is composed of 16 actively practicing physicians. A committee of the Board reviews the investigation thoroughly. One member of the committee has access to every item obtained in the investigation, and, after an exhaustive review, presents his

or her findings to the full committee. The committee then decides on a recommendation to the full Board. When the committee presents its report to the full Board, there is an opportunity for further discussion and review before the final Board decision is made.

Occasionally, the physician reviewer and/or the committee believes they need more information, and the physician may be invited to attend a meeting to explain and answer questions concerning the situation. This interview allows the physician an opportunity to discuss a complex situation with physician members of the committee and helps the Board to make a fair and objective determination.

The Board of Medical Examiners is charged with protecting the health and safety of patients in Alabama. When the quality of medical care or the ethics of a physician is questioned, the Board must investigate the issue to try to ascertain the truth. The Board, as physician peers, understands the art as well as the science of the practice of medicine and tries to put an accurate perspective on the perceived problem. When possible the Board uses the event for education and reflection by the physician on his or her practice. Even when discipline is deemed necessary, the Board continues to make every effort to educate and rehabilitate physicians.

George Smith, Sr., MD, receives national award

At 80 years old, Dr. George Smith, Sr., still practices medicine part-time in Lineville, a community he has served for the last 50 years. The Lineville native served the state for years as head of Alabama's medical licensing and regulatory agency. He has even served as a role model for two generations of physicians in his family. Last month, Dr. Smith's years of service received national recognition.

The Federation of State Medical Boards (FSMB) on April 30 bestowed Dr. Smith with the John H. Clark, MD, Leadership Award, given each year to qualified individuals for outstanding contributions to medical regulation. "I'm very honored," Smith said of receiving the award. "It was very much a surprise ... I didn't know I was even nominated."

"The leadership award presented to Dr. Smith recognizes his demonstrated leadership and steadfast commitment to advancing the public good during his dedicated service to the Alabama health care community," said Drew Carlson, spokesperson for the Federation.

Dr. Smith served four years as chairman of the Alabama Board of Medical Examiners. He also served as chairman of the Board of Censors of the Medical Association of the State of Alabama and currently serves as a member of the Medical Licensure Commission of Alabama and the Interstate Medical Licensure Compact Commission. In 2014 Dr. Smith was inducted into the Alabama Healthcare Hall of Fame.

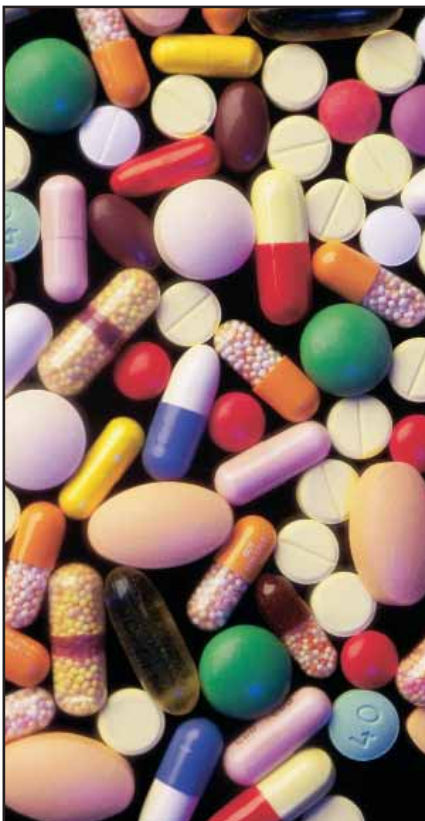
Dr. Smith said he decided to become a family physician while working as a pharmacist. "I just felt a calling to it," Dr. Smith said. "And now I just still love to do it and have still got a lot of patients who still like me."

Dr. Smith could have left Lineville to practice medicine in a larger city, but decided to stay. "I'm a fourth generation 'Smith' from Lineville; it's just home," Dr. Smith said. "I just love Lineville and the people."

Dr. Smith's son, Dr. George (Buddy) Smith, Jr., also a family practitioner, works full time in his father's practice. Dr. Smith Sr.'s granddaughter, Ashley Lane, MD, will complete a residency in family medicine and join the practice in September. "That's special and I'm so proud," Dr. Smith Sr. said. "Three generations of doctors – that's pretty rare."



George Smith Sr., MD, (left) is pictured with his son, George "Buddy" Smith, MD, at the Federation of State Medical Boards meeting.



Opioid pain medicines – FDA warning

FDA website

The U.S. Food and Drug Administration (FDA) is warning about several safety issues with the entire class of opioid pain medicines. These safety risks are potentially harmful interactions with numerous other medications, problems with the adrenal glands and decreased sex hormone levels. The FDA is requiring changes to the labels of all opioid drugs to warn about these risks.

- Opioids can interact with antidepressants and migraine medicines to cause a serious central nervous system reaction called serotonin syndrome, in which high levels of the chemical serotonin build up in the brain and cause toxicity (see list of Serotonergic Medicines <http://www.fda.gov/drugs/drugsafety/ucm489676.htm>).
- Taking opioids may lead to a rare but serious condition in which the adrenal glands do not produce adequate amounts of the hormone cortisol. Cortisol helps the body respond to stress.
- Long-term use of opioids may be associated with decreased sex hormone levels and symptoms such as reduced interest in sex, impotence or infertility.

Patients and healthcare professionals are urged to report side effects involving opioids or other medicines to the FDA MedWatch program: www.fda.gov/medwatch, using the information in the "Contact FDA" box at the bottom of the page.

William F. Addison, Esq., retires



William F. “Billy” Addison, Esq., has announced his retirement after serving as the Board’s

Associate General Counsel for more than 10 years.

After earning his Bachelor of Arts degree at the University of Alabama, Mr. Addison obtained a Masters of Education degree at Auburn University. He attended the Cumberland School of Law in Birmingham, and was awarded his Juris Doctor degree in 1981.

After law school, Mr. Addison clerked for a year with the Honorable William R. Gordon, Montgomery County Circuit Judge, and then joined the Montgomery County Assistant District Attorney’s Office. He subsequently had a private law practice for almost 15 years before joining the Department of Corrections Office of the General Counsel, where he worked for eight years before coming to the Board. Mr. Addison will be greatly missed by the Board and its staff.

Meet the staff: E. Wilson Hunter, Esq.

The Board is pleased to introduce E. Wilson Hunter, Esq., as Associate General Counsel for the Board. Mr. Hunter previously served as Assistant U.S. Attorney with the United States Attorney’s Office for the Northern District of Alabama, where he prosecuted federal violent crime and was a member of the Organized Crime Drug Enforcement Task Force.

From 2011 to 2015, Mr. Hunter focused primarily on prosecuting federal gun crime and other violent crimes, including bank robberies, as well as leading federal and state joint operations to reduce gun crime in Tuscaloosa and Jefferson County. In 2015, Mr. Hunter joined the OCDEF unit, which specializes in using advanced investigative techniques, such as wiretap intercepts and financial investigations, to identify and dismantle large-scale drug distribution networks. During this time, he assisted with an FBI-led investigation that resulted in the successful prosecution of a \$10 million cocaine and heroin drug organization based in northeast Birmingham. In addition, Mr. Hunter worked closely with the DEA to combat the opioid crisis that has swept the nation. His work included the investigation and prosecution of doctors and pharmacists responsible

for diverting prescription opiates. Notably, Mr. Hunter led the prosecution of George “Rick” Bolling, Jr., a pharmacist in Fayette, who pled guilty in May to conspiring to distribute a controlled substance. Mr. Hunter was a leading trial attorney for the US Attorney’s Office and brings that experience, as well as his extensive experience working closely with federal and state investigative agencies, to the Board.

Mr. Hunter graduated *magna cum laude* from Vanderbilt University, receiving his Bachelor of Arts degree with High Honors in European History. He then obtained his J.D. degree from the University of Alabama School of Law, where he was senior editor of the *Journal of the Legal Profession*. After law school, Mr. Hunter clerked for the Honorable Eugene W. Reese, Presiding Judge for the Fifteenth Judicial Circuit, before serving as a federal prosecutor. Mr. Hunter will be a valuable asset to the Board’s legal staff.



BME mourns loss of staff member Cindy Kirsch Smith



It is with great sadness that we announce the sudden death of Cynthia Ann “Cindy” Kirsch Smith on June 1, 2016.

Ms. Smith joined the BME in 2013 after retiring from the State of Alabama where she worked with the Alabama State Troopers for 30 years.

Ms. Smith was Verifications Coordinator at the BME and also assisted the investigative division in preparing medical records for review.

Ms. Smith will be remembered by countless family and friends for her acts of kindness, loving thoughtfulness and her wonderful ability to make people laugh. She will be greatly missed.

Report of Public Actions of the Medical Licensure Commission and Board of Medical Examiners

Mission: The Alabama Board of Medical Examiners and the Medical Licensure Commission are charged with protecting the health and safety of the citizens of the state of Alabama.

MLC – February 2016

◆ On Feb. 24, the Commission entered an Order placing on indefinite probation the license to practice medicine in Alabama of **John Allen Ross, MD**, lic. no. MD.13428, Fostoria, OH.

MLC – March 2016

◆ On Mar. 4, the Commission entered an Order denying the request by **Amjad I. Butt, MD**, lic. no. MD.29003, Selma, AL, to remove the restrictions on his license to practice medicine in Alabama.

◆ On Mar. 4, the Commission entered an Order reinstating the license to practice medicine in Alabama of **Christopher P. Gay, DO**, lic. no. DO.687, Anniston, AL, and placing it on indefinite probation, subject to conditions.

◆ On Mar. 4, the Commission entered an Order approving the practice plan of **Russell Wayne Stevens, MD**, lic. no. MD.26655, Jasper, AL.

BME – March 2016

◆ On Mar. 16, the Board issued a Consent Order assessing an administrative fine against the Qualified Alabama Controlled Substances Certificate of **Jeffrey Todd Norris, PA**, lic. no. PA.326, Dothan, AL.

◆ On Mar. 22, **James Edward Parker, MD**, lic. no. MD.15131, Homewood, AL, voluntarily surrendered his Alabama Controlled Substances Certificate.

◆ Effective March 25, the Board issued an Order Temporarily Suspending the Alabama Controlled Substances Certificate of **Pascual Herrera, Jr., MD**, lic. no. MD.13663, Leesburg, AL, until such time as a hearing shall be held by the Board and a decision rendered thereon.

MLC – April 2016

◆ On Apr. 5, the Commission issued an Order revoking the license to practice medicine in Alabama of **Christiana M. Lietzke, MD**, lic. no. MD.32826, Rutledge, TN.

◆ On Apr. 5, the Commission entered an Order placing on indefinite probation the license to practice medicine in Alabama of **Peter A. Lodewick, MD**, lic. no. MD.15124, Birmingham, AL.

BME – April 2016

◆ On Apr. 8, **Muhammad Wasim Sadiq Ali, MD**, lic. no. MD.22219, Jasper, AL, voluntarily surrendered his certificate of qualification and license to practice medicine in Alabama.

◆ On Apr. 14, the Board denied the application for a certificate of qualification to practice medicine in Alabama of **Felicia Mae Hinant, MD**, Indianapolis, IN.

◆ Effective April 26, the Board entered an Order summarily suspending the Alabama Controlled Substances Certificate of **Leonides V. Santos, MD**, lic. no. MD.8441, Russellville, AL, until such time as a hearing shall be held by the Board and a decision rendered thereon.

BME – May 2016

◆ Effective May 31, the Alabama

Controlled Substances Certificate of **Danny E. Sailsbury, DO**, lic. no. DO.459, Gadsden, AL, is temporarily suspended until such time as a hearing shall be held by the Board and a decision rendered thereon.

Actions for CME (reprimand, fine, additional CME required):

- **Daniel C. Clower, III, MD**, lic. no. MD.6624, Selma, AL
- **Rosemarie M. Morwessel, MD**, lic. no. MD.17698, Mobile, AL
- **Teresa A. Price, PA**, lic. no. PA.988, Anniston, AL
- **Eric P. Walker, PA**, lic. no. PA.282, Birmingham, AL

3 Days of CME!

Register Early – Classes will fill up VERY quickly

November 18-20, 2016

Hyatt Regency Birmingham -
The Wynfrey Hotel
1000 Riverchase Galleria,
Birmingham

Room Rate: \$134/night (plus
applicable taxes)

Room Block Deadline: Oct. 16, 2016

Room Block Code: Medical
Association

Call (800) 233-1234

Friday, November 18

Medical Ethics

Saturday, November 19

Prescribing of Controlled Drugs

Sunday, November 20

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To register for 1, 2 or all 3 days,
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Are wedding bells in your future?

Congratulations!!

If your marriage involves a name or address change,
be sure to report it to the BME within 15 days.

<http://albme.org/forms.html>

Official publication of the Alabama Board of Medical Examiners and Medical Licensure Commission
Questions? Contact the BME Office at (334) 242-4116 and the MLC Office at (334) 242-4153.