

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

### Medical Licensure Commission August 2006

- ◆ On Aug. 25, the Commission entered an Order reprimanding the license to practice medicine in Alabama of **Dost M. Khattak, MD**, license number MD.9080, Huntsville, AL, assessing an administrative fine, and placing the license on probation subject to certain terms and conditions.

### Board of Medical Examiners August 2006

- ◆ On Aug. 19, the Board entered an Order denying the application for reinstatement of certificate of qualification of **Kenneth Norman Shannon, MD**, license number MD.10835, Montgomery, AL.

### Medical Licensure Commission September 2006

- ◆ On Sept. 11, the Commission entered an Order issuing a license to practice medicine in Alabama, limited to participation in the LSU/Ochsner Ophthalmology Residency Program, of **John P. Eitzen, MD**, license number MD.13382, Birmingham, AL.

### Board of Medical Examiners September 2006

- ◆ On Sept. 20, the Board entered an Agreed Order which revoked the license to practice as a physician assistant in Alabama of **David R. Lowery, PA**, license number PA.36, Birmingham, AL.

### Medical Licensure Commission October 2006

- ◆ On Oct. 2, the Commission entered an Order reinstating the license to practice medicine in Alabama of **Richard A. Klimas, MD**, license number MD.12803, Huntsville, AL, subject to certain conditions.
- ◆ On Oct. 2, the Commission entered an Order reinstating the license to practice medicine in Alabama of **Mark Peter Koch, DO**, license number DO.322, Houston, AL, subject to certain conditions.
- ◆ On Oct. 2, the Commission entered an Order reprimanding the license to practice medicine in Alabama of **Leon N. Davis, Jr., MD**, license number MD.16726, Montgomery, AL, and assessing an administrative fine.

- ◆ On Oct. 25, the Commission entered an Order summarily suspending the license to practice medicine in Alabama of **Joe G. Cromeans, MD**, license number MD.434, Scottsboro, AL, until such time as the Administrative Complaint of the Board shall be heard and a decision rendered thereon.

### Board of Medical Examiners October 2006

- ◆ On Oct. 18, the Board accepted the voluntary surrender of prescribing privileges in Schedules II, IIN, III and IIIN of **Rebecca Hicks, MD**, ACSC number ACSC.14402, Scottsboro, AL, effective October 10, 2006.

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## BME Q & A

**QUESTION:** "I have patients who, when in another state, realize that they have left their medicine at home or need a refill of a regularly taken medicine. Sometimes a patient will become ill while away from home and ask me to call in a prescription. What can I legally and ethically do when these situations arise?"

**ANSWER:** We are aware no Federal restrictions that would preclude a pharmacist in another state from accepting a legitimate prescription (written or by telephone) from a physician in Alabama who has issued that prescription in the routine course of providing that patient's care.

Each state has its own laws and it is possible a state may restrict pharmacists in that state from accepting out of state prescriptions; we are not aware of any states where this is the case. If there are restrictions, they most likely are directed at controlled substances, especially those in Schedule II.

It is not uncommon for Alabama patients to be referred to major medical clinics and institutions outside the state, such as the Mayo Clinic. These patients frequently return to Alabama to fill prescriptions written outside Alabama, without problems.

*— Ed Munson, ALBME Investigator*

**The general requirement is that the pharmacist in another state has a responsibility to confirm that the prescription, or call-in, is the product of the out-of-state physician and that the physician is appropriately licensed in the state where the prescription originated.**

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### Medical Licensure Commission November 2006

- ◆ On Nov. 15, the Commission entered an Order summarily suspending the license to practice medicine in Alabama of **Robert A. Hillman, Jr., MD**, license number MD.6898, Dothan, AL, until such time as the Administrative Complaint filed by the Board may be heard and a decision rendered thereon.
- ◆ On Nov. 22, the Commission entered an Order suspending the license to practice medicine in Alabama of **Joel C. Bolen, MD**, license number MD.20157, Montgomery, AL, such suspension, however, was immediately stayed pending completion of certain continuing medical education and payment of an administrative fine.

Should he fail to comply with the requirements within six months, the stay shall be removed and the suspension imposed.

- ◆ On Nov. 30, the Commission entered an Order denying the application for a license to practice medicine in Alabama of **Scott Joseph Waguespack, MD**, Richmond Hill, GA.

### Board of Medical Examiners November 2006

- ◆ On Nov. 18, the Board entered an Order denying the application for reinstatement of certificate of qualification of **Subu Dubey, MD**, license number MD.17831, Endicott NY.

### Correction

It was previously reported that on Aug. 4, 2006, the Commission entered an Order assessing an administrative fine against **John Rice Moody, MD**, License No. MD.15098, Huntsville, AL, for failure to meet continuing medical education requirements. That Order has been withdrawn and a new Order has been issued. The new Order finds that Dr. Moody did obtain more than 12 hours of Category 1 continuing medical education during the relevant period. However, Dr. Moody did not have documentation of all of the CME credits because one of the CME providers had failed to provide Dr. Moody with the certification. Dr. Moody was unaware of that fact at the time that he submitted his renewal application and only became aware of such fact when he was requested to submit proof to the Board.

## Upcoming CME Opportunities

### Have a Plan for Your Required CME in 2007

Avoid looking for last minute CME at the time of your license renewal. The Board of Medical Examiners, the Medical Association of the State of Alabama, many hospitals and many specialty societies sponsor programs that qualify for CME. Some upcoming CME events are:

- ◆ **Ensuring Quality in the Collaborative Practice: The 2007 Series Responsibilities and Resources for Physicians and Nurse Practitioners**
  - March 29 – Birmingham
  - May 24 – Mobile
  - June 29 – Huntsville
  - July 26 – Decatur
  - August 30 – Dothan
  - November 1 – MontgomeryContact MASA's Education Department at (334) 954-2500 or (800) 239-6272.
- ◆ **Alabama District Branch, American Psychiatric Society meeting**
  - March 29 - April 1Contact Judy Lovelady at (334) 954-2579 or (800) 318-7493
- ◆ **Medical Association of the State of Alabama Annual Session – Value: Be Strong; Be Well, Be Worth.**
  - April 12-15, Wynfrey Hotel, BirminghamContact MASA's Education Department at (334) 954-2500 or (800) 239-6272.
- ◆ **Alabama Chapter, American College of Surgeons Annual Conference**
  - April 12-14, BirminghamContact John Hooten at [jh@surgicalassociates.com](mailto:jh@surgicalassociates.com)
- ◆ **Alabama Chapter, American Academy of Pediatrics**
  - April 26-29, Sandestin, Fla.<http://alchapaap.org>