

MINUTES

Tennessee Board of Medical Examiners

September 23 and 24, 2008

The meeting was called to order at 8:40 a.m. at the Health Related Boards' Iris Room, 227 French Landing, Ground Floor, Heritage Place Metrocenter, Nashville, Tennessee 37243 by President Dr. Mitchell Mutter. Other members present were: Drs. Subhi Ali, Keith Lovelady, George Eckles, Charles White, Sr., Dennis Higdon, Ms. Irene Wells and Ms. Regine Webster. Absent members were: Drs. Neal Beckford, Michael Zanolli, Barrett Rosen and Mr. Mark Brown.

Staff present included Rosemarie Otto, Executive Director, Larry Arnold, MD, Medical Director, Sandra Powell, Board Administrator, Marsha Arnold, Unit Manager, and Matthew Scanlan, Advisory Attorney.

The Conflict of Interest Statement was reviewed with the Board by Mr. Scanlan.

Minutes

Minutes from the July 22 and 23, 2008 meeting and the July 22, 2008 meeting of the Office Based Surgery Committee were reviewed. Dr. Higdon made a motion to accept the minutes as written and Dr. Ali seconded the motion. The motion passed.

Ratification of Licenses

New, reinstated, failed to renew and voluntarily retired licenses for Medical Doctors, Medical X-Ray Operators, Radiologists Assistants, Clinical Perfusionist and Acupuncture Committee were reviewed. Dr. Ali made a motion to ratify the approvals and Dr. White seconded the motion. The motion passed.

Ms. Otto reviewed the application file of Dr. Gregory Pastrick with The Plastic Surgery Center of East TN. Ms. Otto informed the Board that the suite was resurveyed and the recommendation was to certify. Dr. Ali made a motion to ratify the approval of certification and Dr. Eckles seconded the motion. The motion passed.

New Applicant Interviews

Lynn N. Carlton, MD-Dr. Carlton is applying for a license to practice medicine in Tennessee. Dr. Arnold reviewed Dr. Carlton's application file for the Board. Dr. Carlton's license was disciplined by the Colorado Board for inappropriate treatment/diagnosis. Dr. Carlton was reprimanded by California and New Hampshire

which mirrored Colorado. Dr. Higdon made a motion to grant a license to Dr. Carlton and Dr. White seconded the motion. The motion passed.

Christian C. Eyiuche, MD-Dr. Eyiuche is applying for a Special Training license in Tennessee. Dr. Arnold reviewed Dr. Eyiuche's application file for the Board. Dr. Eyiuche has a past history of domestic problems but informed the Board that he has had no problems since 2001. After further discussion, Dr. Ali made a motion to grant Dr. Eyiuche a special training license and Dr. Eckles seconded the motion. The motion passed.

Pamela J. Graber, MD-Dr. Graber is applying for a license to practice medicine in Tennessee. Dr. Arnold reviewed Dr. Graber's application file for the Board. Dr. Graber has not been in clinical practice since 1999 but informed the Board that she recertified in 2006. Dr. Lovelady made a motion to grant Dr. Graber a medical license and Dr. Eckles seconded the motion. The motion passed.

Alagiri P. Swamy, MD-Dr. Swamy is applying for a license to practice medicine in Tennessee. Dr. Arnold reviewed Dr. Swamy's application file for the Board. Dr. Swamy has a history of substance abuse. Dr. Roland Gray, Medical Director for the Tennessee Medical Foundation, spoke on behalf of Dr. Swamy and informed the Board that Dr. Swamy entered into a five (5) year contract with TMF in 2005 and has been in compliance since that time. Dr. Ali made a motion to grant Dr. Swamy a license contingent on maintaining advocacy with TMF for the duration of the current contract. Dr. White seconded the motion. The motion passed.

Jennifer Pitts, MDX-Ms. Pitts is applying for a Medical X-Ray Operator license in Tennessee. Dr. Arnold reviewed Ms. Pitts' application file for the Board. Ms. Pitts has a previous criminal conviction in which she did not disclose on her application. Dr. Arnold recommended that Ms. Pitts correct her application, complete three (3) hours continuing education in ethics and have an evaluation for substance abuse. Dr. Ali made a motion to grant Ms. Pitts a license contingent on fulfilling all of the recommendations made by Dr. Arnold and have the evaluation conducted by Dr. Gray and the Tennessee Medical Foundation. Dr. White seconded the motion. The motion passed.

Reinstatement Interviews

Lawrence B. Crowson, Jr., MD-Dr. Crowson is applying for reinstatement of his medical license. Dr. Arnold reviewed Dr. Crowson's application file for the Board. Dr. Crowson retired from practice in 1996 and informed the Board that he plans to work in Knoxville, Tennessee giving physicals for the military and working in a free clinic. Dr. Paul Bennett from the University of Tennessee spoke on behalf of Dr. Crowson. The Board had concerns regarding Dr. Crowson's clinical competency given the length of time he has been out of practice and having acquired only 90 hours of continuing medical education. Dr. Mutter's suggestion was for Dr. Crowson to either take the SPEX exam or accept a restricted license. Dr. Crowson was concerned about the disciplinary nature of a restricted license and was unsure if his potential job required an unrestricted license. Dr.

Crowson was given the option to come back before the Board at the next scheduled meeting with a decision.

Douglas K. Rawl, MD-Dr. Rawl is applying for a license to practice medicine in Tennessee. Dr. Arnold reviewed Dr. Rawl's application file for the Board. The Georgia Board suspended Dr. Rawl's license and he was placed on probation. Dr. White made a motion to grant Dr. Rawl a restricted license that mirrors the Georgia Order. Dr. Eckles seconded the motion. Dr. Lovelady and Ms. Wells opposed. The motion passed.

Rule Action

Mr. Shiva Bozarth, Advisory Attorney for the Polysomnography Professional Standards Committee, reviewed the rules with the Board. The rules were previously reviewed by Dr. Lovelady. Dr. White made a motion to send the rule to rulemaking hearing and Dr. Lovelady seconded the motion. The motion passed.

Discussion

Mr. Timothy Miller, JD, FSMB Sr. Director, Government & Policy relations and FSMB Immediate Past Chair, N. Stacy Lankford, MD from the Federation of State Medical Boards addressed the Board. Dr. Lankford gave a presentation regarding the Federation.

The Board discussed primary source verification of legal entitlement to live and work in the United States. Mr. Scanlan reviewed the United States Central Immigration Service (USCIS) program and informed the Board that the SAVE program will begin charging a fee for verification. Dr. Ali made a motion to use primary source verification and authorize the use of the SAVE program. Dr. Lovelady seconded the motion. The motion passed.

Ms. Otto gave an overview on the Controlled Substance Database Advisory Committee. Ms. Otto stated that the Board needed to designate a consumer member to represent the Medical Board. Dr. Ali made a motion to appoint Ms. Webster and Dr. White seconded the motion. The motion passed.

Dr. Higdon gave an update regarding the Standing Committee of the Board of Medical Examiners and the Board of Nursing from their September 11, 2008 meeting. Dr. Higdon informed the Board that the Committee discussed supervision and the use of consultants. Dr. Higdon stated that the Committee is still gathering information regarding supervision of physician extenders. The next meeting is December 4, 2008.

Dr. White gave a brief update regarding the Improvement Committee meeting on September 22, 2008. Dr. White stated that the discussion was on benchmarks and how long it takes a case to go through the Office of General Counsel. He informed the Board that the Committee endorsed benchmarks for case movement in OGC and would take a look at similar benchmarks for BIV.

Mr. Scanlan handed out a private advisory ruling regarding East Tennessee Pain Clinic. Dr. Eckles made a motion to approve the ruling and Dr. Ali seconded the motion. The motion passed.

Mr. Scanlan reviewed the private advisory ruling in regards to issuing prescription “fill at a later date.” Drs. Ali and Lovelady expressed concerns about the letter and indicated they would not support it. The Board asked Mr. Scanlan to re-draft the ruling consistent with their discussion. The ruling will be re-submitted for consideration in November, 2008.

Reports

Budget Report

The Budget report was reviewed by the Board. Ms. Otto stated that the report still continues to reflect a surplus.

Statistical Report from Administrative Office

The Board reviewed the report from the Administrative office.

Investigative Report

Ms. Denise Moran reviewed the report for the Board.

Disciplinary Report

The report was reviewed by Ms. Juanita Stone. Ms. Stone informed the board that a new section, “removal from monitoring” has been added to the report.

OGC Report

Mr. Matt Scanlan discussed his report with the Board which included the number of open cases in OGC and the number of cases assigned to the Administrative Law Judges.

“Noteworthy” section of the internet

The Board did not have anything to be placed on the “noteworthy” section of the internet.

Disciplinary Action

Consent Orders

Britt Michael Borden, MD-Dr. Borden was not present nor represented by legal counsel. Mr. Matt Scanlan represented the State. On May 5, 2005, Dr. Borden’s license to practice medicine in West Virginia was reprimanded and placed in inactive status by the

Board of Medicine for making and failing to correct a misrepresentation on his 2004-2006 licensure renewal application. The Consent Order stipulated that Dr. Borden's medical license be reprimanded. Dr. Ali made a motion to accept the Consent Order and Dr. White seconded the motion. The motion passed.

Bruce Jeffrey Biller, MD-Dr. Biller was not present nor represented by legal counsel. Mr. Matt Scanlan represented the State. On March 5, 2008, Dr. Biller's license to practice medicine in the Commonwealth of Massachusetts was reprimanded. Dr. Biller had engaged in a conduct that undermines the public confidence in the integrity of the medical profession when he touched a female support staff employee at Harvard University Health Services in March 2005 in a manner that made her feel uncomfortable. Dr. Biller had touched the employee as a gesture of appreciation because she had fixed Dr. Biller's cell phone. The incident occurred in a clinical setting during business hours with other employees present and patients in the vicinity. The Consent Order stipulated that Dr. Biller's medical license be reprimanded. Dr. White made a motion to accept the Consent Order and Dr. Ali seconded the motion. The motion passed.

Robert D. Mayfield, MD-Dr. Mayfield was not present nor represented by legal counsel. Mr. Matt Scanlan represented the State. On February 7, 2008, Dr. Mayfield voluntarily surrendered his license to practice medicine in the state of Mississippi before the Board of Medical Licensure, in lieu of formal discipline. Dr. Mayfield pled guilty and was convicted of Conspiracy to Commit Capital Murder in the Circuit Court of Panola County, Mississippi, Second Judicial District, on February 29, 2008. Dr. Mayfield was sentenced to a six (6) year term of imprisonment and nine (9) years of non-reporting post-release supervision. Dr. Mayfield is currently incarcerated in the Mississippi State Penitentiary in Parchman, Mississippi. The Consent Order stipulated that Dr. Mayfield's Tennessee medical license is permanently revoked and he must pay all cost associated with the prosecuting of the case. Dr. Ali made a motion to accept the Consent Order and Dr. White seconded the motion. The motion passed.

Order of Compliance

William Leon, MD-Dr. Leon was present but not represented by legal counsel. Mr. Matt Scanlan represented the State. Dr. Leon has a history of substance abuse and has been under contract with the Tennessee Medical Foundation (TMF). Mr. Scanlan informed the Board that Dr. Leon has a lifetime contract with TMF and he has met all the requirements as set by the Board. Mr. Scanlan stated that Dr. Leon's suspension will be lifted and he will be placed on probation. Dr. Roland Gray, Medical Director for the Tennessee Medical Foundation spoke on behalf of Dr. Leon. Dr. White made a motion to accept the Order of Compliance and Dr. Lovelady seconded the motion. The motion passed.

Agreed Citations

Philomina Presentation, MD-Dr. Presentation failed to comply with Board rules regarding required continuing medical education hours. The Agreed Citation stipulated that Dr. Presentation shall pay a civil penalty in the amount of eighty dollars (\$80.00),

provide proof of completion of two (2) hours of continuing medical education within one hundred eighty (180) days of the citation and complete an additional ten (10) hours continuing education hours within two (2) years of ratification of the Agreed Citation. Dr. Higdon made a motion to accept the Agreed Citation and Ms. Wells seconded the motion. The motion passed.

Floyd A. Richard, MD-Dr. Richard failed to comply with Board rules regarding required continuing medical education. The Agreed Citation stipulated that Dr. Richard shall pay a civil penalty in the amount of three hundred thirty dollars (\$330.00), provide proof of completion of eight and one quarter (8.25) hours of continuing education within one hundred eighty (180) days of the citation and complete an additional ten (10) hours continuing education hours within two (2) years of ratification of the Agreed Citation. Dr. Ali made a motion to accept the Agreed Citation and Dr. Higdon seconded the motion. The motion passed.

Randolph M. McCloy, MD- Dr. McCloy failed to comply with Board rules regarding required continuing medical education. The Agreed Citation stipulated that Dr. McCloy shall pay a civil penalty in the amount of one thousand six hundred dollars (\$1,600.00), provide proof of completion of forty (40) hours of continuing education within one hundred eighty (180) days of the citation and complete an additional ten (10) hours continuing education hours within two (2) years of ratification of the Agreed Citation. Dr. Eckles made a motion to accept the Agreed Citation and Dr. Ali seconded the motion. The motion passed.

Karen J. Puckett, MD- Dr. Puckett failed to comply with Board rules regarding required continuing medical education. The Agreed Citation stipulated that Dr. Puckett shall pay a civil penalty in the amount of eighty dollars (\$80.00), provide proof of completion of two (2) hours of continuing education within one hundred eighty (180) days of the citation and complete an additional ten (10) hours continuing education hours within two (2) years of ratification of the Agreed Citation. Dr. Eckles made a motion to accept the Agreed Citation and Dr. Ali seconded the motion. The motion passed.

John S. Wolf, Jr., MD- Dr. Wolf failed to comply with Board rules regarding required continuing medical education. The Agreed Citation stipulated that Dr. Wolf shall pay a civil penalty in the amount of one thousand six hundred dollars (\$1,600.00), provide proof of completion of forty (40) hours of continuing education within one hundred eighty (180) days of the citation and complete an additional ten (10) hours continuing education hours within two (2) years of ratification of the Agreed Citation. Dr. Eckles made a motion to accept the Agreed Citation and Dr. Ali seconded the motion. The motion passed.

George I. Paskewitz, MD- Dr. Paskewitz failed to comply with Board rules regarding required continuing medical education. The Agreed Citation stipulated that Dr. Paskewitz shall pay a civil penalty in the amount of four hundred eighty dollars (\$480), provide proof of completion of twelve (12) hours of continuing education within one hundred eighty (180) days of the citation and complete an additional ten (10) hours continuing

education hours within two (2) years of ratification of the Agreed Citation. Dr. Eckles made a motion to accept the Agreed Citation and Dr. Ali seconded the motion. The motion passed.

David M. Sharfman, MD- Dr. Sharfman failed to comply with Board rules regarding required continuing medical education. The Agreed Citation stipulated that Dr. Sharfman shall pay a civil penalty in the amount of four hundred forty dollars (\$440.00), provide proof of completion of eleven (11) hours of continuing education within one hundred eighty (180) days of the citation and complete an additional ten (10) hours continuing education hours within two (2) years of ratification of the Agreed Citation. Dr. Eckles made a motion to accept the Agreed Citation and Dr. Ali seconded the motion. The motion passed.

Dr. Lovelady made a motion to adjourn the meeting and Dr. Ali seconded the motion. The motion passed.

Adjourned at 3:30 p.m.

September 24, 2008

Panel: White, Wells, Higdon

Contested Case Hearing

Augusto Loaiza, MD-Dr. Loaiza was present and represented by legal counsel Mr. James T. Neal. Mr. Matt Scanlan represented the State. The Honorable Marion Wall, Administrative Law Judge presided. The Notice of Charges was handed to the panel for review. Witnesses were sworn in and opening statements given. As a licensed medical doctor in the State of California, Dr. Loaiza was disciplined on November 21, 2000 by the Division of Medical Quality, Medical Board of California, Department of Consumer Affairs, State of California. Dr. Loaiza's license was placed on probation for seven (7) years for aiding and abetting the unlicensed practice of medicine and conspiring to violate the Medical Practice Act. As a result of the 2000 Order, the Tennessee Board of Medical Examiners took reciprocal action against Dr. Loaiza's Tennessee medical license. On May 16, 2007, Dr. Loaiza was disciplined again by the California Board through the surrender of his license based on allegations of gross negligence and malpractice. Dr. Loaiza's voluntary surrender in California in lieu of formal disciplinary action for allegations of gross negligence and malpractice constitutes an action against his license for acts that would constitute grounds for discipline before the Tennessee Board of Medical Examiners. Mr. Scanlan gave his closing arguments and asked that the Board mirror California's Order and revoke Dr. Loaiza's medical license. Mr. Neal gave his closing statement. The panel was charged and deliberations began. Dr. Higdon made a motion to accept the Findings of Fact and Ms. Wells seconded the motion. The motion

passed. Ms. Wells made a motion to accept the Conclusions of Law and Dr. Higdon seconded the motion. The motion passed. Dr. Higdon made a motion to mirror California's Order and revoke Dr. Loaiza's medical license and Ms. Wells seconded the motion. The motion passed. The policy statement was read. The reason for the action is due to California's action and to protect the health, safety and welfare of the citizens of the State of Tennessee. Dr. Higdon made a motion to accept the policy statement and Ms. Wells seconded the motion. The motion passed.

Peter Gardner, MD-Dr. Gardner was present and represented by legal counsel, Mr. Frank Scanlon of the Nashville Bar. Mr. Matt Scanlan represented the State. The Honorable Marion Wall, Administrative Law Judge presided. The Notice of Charges was handed to the panel for review. The witnesses were sworn in. Dr. White stated that he knew the witness but not Dr. Gardner. Both attorneys accepted the information and did not consider it a problem. Opening statements were given by both sides. On May 5, 2004, Dr. Gardner's medical license was summarily suspended for various violations related to distribution of controlled substances and use of drugs. On May 18, 2004, Dr. Gardner entered into an Agreed Order of Voluntary Surrender and had followed the conditions of being barred from reapplying for a licensure for a period of one (1) year, complete a drug treatment program, maintain a contract and obtain the lifetime advocacy of the Tennessee Medical Foundation (TMF) and resolve all criminal charges against him. On March 24, 2006, the Board approved Dr. Gardner's application for reinstatement of licensure on the condition that he maintains the lifetime advocacy of the TMF. On March 20, 2007, the Board suspended Dr. Gardner's license for breaching his TMF contract by relapsing in his addiction to alcohol. The Board required Dr. Gardner to meet the following conditions prior to lifting the suspension; comply with all recommendations from his Vanderbilt Comprehensive Assessment Program for Professionals and obtain a new contract with the TMF and require the TMF to report any violations of that contract. Dr. Gardner further agreed in the March 20, 2007, Consent Order that any future board which found that he failed to comply with the terms of the order would permanently revoke his license. On the same day that the Consent Order was entered, the Board approved an Order of Compliance that lifted Dr. Gardner's suspension and reiterated the conditions of his licensure by the Board. On May 5, 2008, the Board of Medical Examiners received notice from the TMF that Dr. Gardner had relapsed into chemical dependency and that he had lost the advocacy of the TMF. Dr. Roland Gray, Medical Director for the Tennessee Medical Foundation was called to testify. Dr. Gardner and Dr. Greg Mitchell, Program Director for the University of Tennessee who informed the Board that Dr. Gardner was accepted into their residency program prior to the driving under the influence charge in May, 2008. Dr. Mitchell testified that the decision was to keep Dr. Gardner in the program after the DUI incident. In closing, the state asked to permanently revoke Dr. Gardner's license or at minimum revoke it. Mr. Frank Scanlon followed with his closing statement. The panel deliberated. Dr. Higdon made a motion to accept the Findings of Fact #1-8 and Ms. Wells accepted the motion. The motion passed. Dr. Higdon made a motion to accept the Conclusions of Law and Ms. Wells seconded the motion. The motion passed. Ms. Wells had concerns with Dr. Gardner driving while under the influence. Dr. Higdon made a motion that Dr. Gardner's license shall be placed on probation and restricted and confined to the medical

care rendered in conjunction with training in the University of Tennessee Family Residency Program, Jackson, Tennessee. Prior to the lifting of the restriction, Dr. Gardner must obtain the advocacy of the TMF and appear before the Board. Dr. Gardner must pay one (1) Type B civil penalty in the amount of five hundred dollars (\$500.00), payable within ninety (90) days of the Order. Ms. Wells seconded the motion. The motion passed. The policy statement was read. The reason the action was taken was to protect the health, safety and welfare of the citizens of the State of Tennessee. Dr. Higdon made a motion to accept the policy statement and Ms. Wells seconded the motion. The motion passed.

Jerry Maynard, MD-Dr. Maynard was not present nor represented by legal counsel. Mr. Matt Scanlan represented the State. The Honorable Marion Wall, Administrative Law Judge presided. The state asked the panel to find Dr. Maynard in default and proceed with the hearing. Dr. Higdon made a motion to accept the default and Ms. Wells seconded the motion. The motion passed. The Notice of Charges was handed to the panel for review. Witnesses were sworn in and Mr. Scanlan began his opening statement. On July 16, 2002, an order was entered by the Board suspending Dr. Maynard's license to practice for not less than three (3) years for violations of the medical practice act. Dr. Maynard was required to complete and submit proof of fifty (50) hours of continuing medical education in family practice for each of the three years of suspension, submit proof of completion of a course in medical records keeping and pay \$25,000 in civil penalties in addition to paying the costs associated with the action on his license. On May 30, 2008, the Disciplinary Coordinator reported that Dr. Maynard was non-compliant with the July 16, 2002 Order. Ms. Juanita Stone, Disciplinary Coordinator of the Office of Investigations for Health Related Boards was called to verify that Dr. Maynard was non-compliant with the 2002 Order. Mr. Scanlan handed out the Order of 2002 and the Proposed Order to the panel for review. In closing, Mr. Scanlan asked that Dr. Maynard's license be revoked. The panel began deliberations. Dr. Higdon made a motion to accept the Findings of Fact and Ms. Wells seconded the motion. The motion passed. Dr. Higdon made a motion to accept the Conclusions of Law and Ms. Wells seconded the motion. The motion passed. Dr. Higdon made a motion to revoke Dr. Maynard's license and assess all costs associated with the prosecution of the case. Ms. Wells seconded the motion. The motion passed. The policy statement was read. The reason action was taken was due to Dr. Maynard's non-compliance with the previous Order. Dr. Higdon made a motion to accept the policy statement and Ms. Wells seconded the motion. The motion passed.

Panel: Ali, Webster, Lovelady

Contested Case Hearing

Jerry Slay, MD-Dr. Slay was present and represented by Legal counsel Ms. Kristin Fecteau. Ms. Andrea Huddleston represented the State. The Honorable Joyce Safely, Administrative Law Judge presided. The Notice of Charges was handed to the panel for

review. The witnesses were sworn in. Ms. Huddleston waived her opportunity for an opening statement. Ms. Fecteau proceeded with her opening remarks. Dr. Slay has previously been before the Board of Medical Examiners several times regarding his personal misuse of controlled substances. At a hearing held on July 31, 1984, the Board made findings of fact that Dr. Slay had personally used drugs in such a manner as to potentially adversely affect his ability to practice medicine. On May 23, 2001, the Board entered a ratified Agreed Order in the matter of Dr. Slay. Dr. Slay's license was placed on suspension for an indefinite period of time and he had to surrender his U.S. Drug Enforcement Agency (DEA) registration. Dr. Slay was ordered to remain in treatment for his addiction and re-obtain the advocacy of the Tennessee Medical Foundation. On October 1, 2002, the Board entered a ratified Order Modification lifting the suspension from Dr. Slay's medical license with the condition that he maintain a lifetime contract with the Tennessee Medical Foundation and that he not re-apply for his DEA registration certificate at any time. On January 10, 2007, April 19, 2007 and again on July 23, 2007, the Division received notification from the Tennessee Medical Foundation that Dr. Slay no longer had the Tennessee Medical Foundation's advocacy. After proof and closing arguments from both the state and respondent, the panel was charged and began its deliberations. Dr. Lovelady made a motion to accept the Findings of Fact and Ms. Webster seconded the motion. The motion passed. Dr. Lovelady made a motion to accept the Conclusions of Law and Ms. Webster seconded the motion. The motion passed. Dr. Lovelady made a motion to revoke Dr. Slay's medical license and assess no costs for the hearing. Ms. Webster seconded the motion. The motion passed. The policy statement was read. The reason for the action taken was to protect the health, safety and welfare of the citizens of the State of Tennessee. Dr. Lovelady made a motion to accept the policy statement and Ms. Webster seconded the motion. The motion passed.

Tahnaya D. See, MD-Dr. See was present but not represented by legal counsel. Ms. Huddleston represented the State. The Honorable Joyce Safely, Administrative Law Judge presided. Dr. See appeared at the July 23, 2008 meeting and asked for a continuance so that she could obtain legal counsel. The Board granted a continuance to allow Dr. See to obtain legal counsel and ordered that she cease the practice of medicine and to surrender her DEA certificate until such time as the case was heard. Dr. See again asked for continuance to obtain legal counsel. The Judge granted another continuance and informed Dr. See to obtain an attorney within thirty (30) days and to surrender her DEA certificate. Furthermore, the Judge informed Dr. See that this will be the last continuance granted to her.

Adjourned at 4:30 p.m.

These minutes were ratified by the Board November 18, 2008.