

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF:

KAMAU MOYENDA, MD

License # 31391

Respondent.

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Docket No. 1005-0031

GEORGIA COMPOSITE
MEDICAL BOARD
FEB 03 2012
DOCKET NUMBER
10050031

PUBLIC ORDER TERMINATING PROBATION

WHEREAS, the Georgia Composite Medical Board ("Board") entered a Public Consent Order in the above-styled matter on December 7, 2006, which placed on probation. Respondent's license to practice medicine in the State of Georgia and

WHEREAS, Respondent has petitioned to have the probation terminated, and

WHEREAS, the Board has determined that the Respondent has complied with all the terms and conditions of the probation,

NOW, THEREFORE, IT IS HEREBY ORDERED that the probation of Respondent's license to practice medicine in the State of Georgia be **TERMINATED**.

SO ORDERED, this 3rd day of February 2012.

GEORGIA COMPOSITE MEDICAL BOARD

BY:

Charles L. White, D.O.

CHARLES L. WHITE, D.O.

Chairperson

(Board Seal)

ATTEST:

Lasharn Hughes
LASHARN HUGHES
Executive Director

**GEORGIA COMPOSITE
BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD
MEDICAL BOARD**

STATE OF GEORGIA

AUG 05 2010

IN THE MATTER OF:

KAMAU MOYENDA, M.D.,
License No. 31391,

Respondent.

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DOCKET NUMBER

DOCKET NO. 10050031

AMENDMENT TO PUBLIC CONSENT ORDER

WHEREAS, on or about December 7, 2006, Kamau Moyenda, M.D. ("Respondent") entered into a Public Consent Order Lifting Suspension Subject to Restrictions ("Consent Order") with the Georgia Composite Medical Board ("Board"), Docket Number 10050031, which subjected his license to a period of probation with terms and conditions.

WHEREAS, on or about July 11, 2008, the Board issued an Amendment to Public Consent Order, Docket No. 10050031 that modified the Consent Order by increasing Respondent's work hours to a maximum of forty (40) hours per week and decreased supervision meetings from weekly to monthly.

WHEREAS, on or about April 16, 2010, Respondent petitioned the Board to further modify his Consent Order by lifting the restriction that Respondent treat only male patients. In support of his petition, Respondent submitted written statements from his monitoring and supervising physicians supporting the lifting of this practice restriction.

NOW THEREFORE, the Board hereby amends the Consent Order as follows:

1.

The second paragraph contained within Paragraph 1(a) on Pages 3-4 of the Consent Order that begins with the sentence, "Respondent additionally agrees that he may only treat male patients until further order of the Board" is hereby lifted. The first paragraph in Paragraph 1(a) that restricts Respondent's practice of medicine to a structured setting remains unchanged and in effect.

2.

Except as provided herein, the Respondent's license shall remain subject to the period of probation and to all of the remaining terms and conditions as set forth in the Public Consent Order of December 7, 2006.

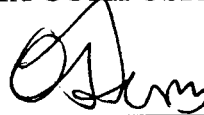
3.

This Amendment to Public Consent Order 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.

Accepted this 5th day of August, 2010.

GEORGIA COMPOSITE MEDICAL BOARD

BY:



ALEXANDER S. GROSS, M.D.
Chairperson

(BOARD SEAL)

ATTEST:



LASHARN HUGHES
Executive Director

BEFORE THE COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

STATE OF GEORGIA

Composite State Board
of Medical Examiners

IN THE MATTER OF:

KAMAU MOYENDA, M.D.,
License No. 31391,

Respondent.

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DOCKET NO.

JUL 11 2008

DOCKET NUMBER

10050031

AMENDMENT TO PUBLIC CONSENT ORDER

WHEREAS, on or about December 7, 2006, Kamau Moyenda, M.D., Respondent, entered into a Public Consent Order Lifting Suspension Subject to Restrictions with the Composite State Board of Medical Examiners ("Board"), Docket Number 1005-0031, which subjected his license to a period of probation with terms and conditions.

WHEREAS, on or about January 15, 2008, the Board received a letter from Respondent requesting the Board: (1) lift the restriction in the Public Consent Order limiting Respondent to a maximum of 30 hours of work per week and allow him to work 40 hours per week; and (2) reduce supervision from weekly to monthly. The Public Consent Order provides the workweek restriction may be lifted by the Board after Respondent has worked under the restriction for one (1) year.

WHEREAS, in support of his petition, Respondent submitted written statements from his monitoring and supervising physicians supporting these changes in his Public Consent Order.

NOW THEREFORE, the Board hereby amends the Public Consent Order as follows:

1.

The sentence in Paragraph 1(a) on Page 3 of the Public Consent Order that states "Additionally, Respondent is permitted to work a maximum of thirty (30) hours per week" is hereby modified to state "Additionally, Respondent is permitted to work a maximum of forty (40) hours per week." All other terms and conditions in Paragraph 1(a) remain unchanged and in effect.

2.

The sentence in Paragraph 1(c) on Page 4 of the Public Consent Order that states "Respondent shall designate a supervising physician approved in writing by the Board who works in the same office as Respondent and who will supervise his work or who works in another location but will meet with Respondent on a weekly basis at Respondent's workplace to observe his practice and review twenty percent of his patient files" shall be modified by substituting the word "monthly" for "weekly". All other terms and conditions in Paragraph 1(c) remain unchanged and in effect.

3.

Except as provided herein, the Respondent's license shall remain subject to the period of probation and to all of the remaining terms and conditions as set forth in the Public Consent Order of December 7, 2006.

4.

This Amendment to Public Consent Order shall become effective upon its acceptance by the Composite State Board of Medical Examiners and its docketing by the Executive Director of the Composite State Board of Medical Examiners.

Accepted this 11th day of July, 2008.

COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

BY: *Eddie R. Cheeks*
EDDIE R. CHEEKS, M.D.
President
Jean R. Sumner, MD

(BOARD SEAL)

ATTEST: *Lasharn Hughes*
LASHARN HUGHES
Executive Director

BEFORE THE COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

Composite State Board
of Medical Examiners

STATE OF GEORGIA

DEC 07 2006

IN THE MATTER OF:

KAMAU MOYENDA, M.D.
License No. 031391,

Respondent.

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DOCKET NO.

DOCKET NUMBER

10050031

CONSENT ORDER LIFTING SUSPENSION SUBJECT TO RESTRICTIONS

By agreement of the Composite State Board of Medical Examiners ("Board") and Kamau Moyenda, M.D. ("Respondent") the following disposition of this matter is entered pursuant to the provisions of O.C.G.A. § 50-13-13(a)(4), as amended.

FINDINGS OF FACT

1.

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

2.

On or about July 2005, the Board voted to order the Respondent to undergo a mental and physical evaluation. From July 18 through July 22, 2005, the Respondent completed this evaluation. The Respondent also signed an "Agreement Not to Practice" in September of 2005, and states that he has not been practicing since then.

3.

Respondent entered into a Public Consent Order with the Board on July 5, 2006, in which he agreed to the suspension of his license to practice medicine until further order of the Board. Said order also provided that Respondent could petition for the lifting of his suspension at such

time as he has undergone a complete evaluation and his treating psychiatrist has determined that he could return to the practice of medicine with reasonable skill and safety.

4.

In September of 2006, the Board received information from Respondent's treating psychiatrist indicating that Respondent is ready to return to the practice of medicine with reasonable skill and safety so long as Respondent continues his therapy and follows certain guidelines.

5.

The Respondent waives any further findings of fact with respect to the above matter.

CONCLUSIONS OF LAW

The Respondent's conduct constitutes sufficient grounds for the Board to exercise its disciplinary authority and to impose sanctions on the Respondent as a licensee under O.C.G.A. Ch. 34, T. 43, as amended, O.C.G.A. § 43-1-19(a) and the Rules of the Composite State Board of Medical Examiners. The Respondent waives any further findings of law with respect to this matter.

ORDER

The Composite State Board of Medical Examiners, having considered the particular facts and circumstances of this case, hereby orders, and Respondent hereby agrees, that the suspension of Respondent's license to practice medicine in the State of Georgia is hereby lifted and that Respondent may practice medicine in the State of Georgia, subject to the following conditions:

1.

Commencing on the effective date of this Consent Order, Respondent's license shall be placed on probation until discharged by the Board, with the following terms and conditions of probation:

(a) Restrictions on Practice.

Respondent may practice medicine only in a structured setting such as a prison, mental health center, or state hospital, which location must be approved in writing by the Board. If Respondent engages in a practice of medicine that has not been approved by the Board in writing, Respondent's license shall be subject to revocation, upon substantiation thereof. Additionally, Respondent is permitted to work a maximum of thirty (30) hours per week. One year from the docket date of the Consent Order, Respondent may petition the Board to lift this practice restriction. At the time of Respondent's request, he must provide written statements from both his supervising and monitoring physicians indicating that they support the lifting or modifying of this restriction. This restriction shall remain in effect pending notification from the Board that the limitation has been lifted. If such petition is denied, Respondent may not petition the Board to lift the restriction for six months from the date of denial of his petition. The Board shall have sole discretion whether to lift the practice restriction and a denial of Respondent's petition shall in no way be considered a contested case as provided in the Administrative Procedures Act, O.C.G.A. Title 50.

Respondent additionally agrees that he may treat only male patients until further order of the Board. If Respondent treats female patients, Respondent's license shall be subject to revocation, upon substantiation thereof. Three years from the effective date of this Consent Order, Respondent may petition the Board in writing for lifting or modification of this practice restriction to treat only male patients. At the time of Respondent's petition, he must provide written statements and/or documentation from his treating physician supporting the modification or lifting of this restriction. At such time, the Board shall have the discretion to modify this restriction, subject to any conditions that the Board may deem appropriate, or to

deny the petition without a hearing. In the event the Board denies Respondent's petition to have this restriction on his medical license lifted or modified, Respondent may petition every six (6) months thereafter. In any event, the restriction set forth in this paragraph shall remain in effect pending Respondent's receipt of a written order lifting or modifying the restriction.

(b) Abstain from Mood Altering Substances and Specified Medications.

Respondent shall completely abstain from the consumption of alcohol. Respondent shall also completely abstain from the consumption of mood altering substances and steroids, except as prescribed by a duly licensed practitioner for a legitimate medical purpose. Respondent shall report any such treatment to the monitoring physician if different from the treating physician, and the treating and/or monitoring physician shall report any such treatment and prescribing to the Board in writing. If such treatment entails use of narcotic or other potentially addictive substances, a consultation with a Board approved addictionologist shall be obtained at the direction of the Medical Director.

(c) Supervision and Monitoring. Respondent shall designate a supervising physician approved in writing by the Board who works in the same office as Respondent and who will supervise his work or who works in another location but will meet with Respondent on a weekly basis at Respondent's workplace to observe his practice and review twenty percent of his patient files. Respondent shall also designate an acceptable monitoring physician approved in writing by the Board with whom Respondent will continue therapeutic treatment on a weekly basis, and who will monitor any medications Respondent is prescribed. Respondent shall provide a copy of this Consent Order to both physicians. Such physicians shall sign a statement to be submitted in conjunction with the Consent Order as evidence of having read and understood the Consent Order and having agreed to serve as Respondent's supervising and monitoring physicians. Respondent shall obtain prior Board approval through the Medical Director for any change in the monitoring or supervising physician.

(d) Quarterly Reports. Respondent shall submit or cause to be submitted quarterly reports from his supervising and monitoring physicians regarding his performance and

BEFORE THE COMPOSITE STATE BOARD OF MEDICAL EXAMINERS
Composite State Board
of Medical Examiners
STATE OF GEORGIA

DEC 07 2006

IN THE MATTER OF:

KAMAU MOYENDA, M.D.
License No. 031391,

Respondent.

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DOCKET NO.

DOCKET NUMBER

10050031

CONSENT ORDER LIFTING SUSPENSION SUBJECT TO RESTRICTIONS

By agreement of the Composite State Board of Medical Examiners ("Board") and Kamau Moyenda, M.D. ("Respondent") the following disposition of this matter is entered pursuant to the provisions of O.C.G.A. § 50-13-13(a)(4), as amended.

FINDINGS OF FACT

1.

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

2.

On or about July 2005, the Board voted to order the Respondent to undergo a mental and physical evaluation. From July 18 through July 22, 2005, the Respondent completed this evaluation. The Respondent also signed an "Agreement Not to Practice" in September of 2005, and states that he has not been practicing since then.

3.

Respondent entered into a Public Consent Order with the Board on July 5, 2006, in which he agreed to the suspension of his license to practice medicine until further order of the Board. Said order also provided that Respondent could petition for the lifting of his suspension at such

time as he has undergone a complete evaluation and his treating psychiatrist has determined that he could return to the practice of medicine with reasonable skill and safety.

4.

In September of 2006, the Board received information from Respondent's treating psychiatrist indicating that Respondent is ready to return to the practice of medicine with reasonable skill and safety so long as Respondent continues his therapy and follows certain guidelines.

5.

The Respondent waives any further findings of fact with respect to the above matter.

CONCLUSIONS OF LAW

The Respondent's conduct constitutes sufficient grounds for the Board to exercise its disciplinary authority and to impose sanctions on the Respondent as a licensee under O.C.G.A. Ch. 34, T. 43, as amended, O.C.G.A. § 43-1-19(a) and the Rules of the Composite State Board of Medical Examiners. The Respondent waives any further findings of law with respect to this matter.

ORDER

The Composite State Board of Medical Examiners, having considered the particular facts and circumstances of this case, hereby orders, and Respondent hereby agrees, that the suspension of Respondent's license to practice medicine in the State of Georgia is hereby lifted and that Respondent may practice medicine in the State of Georgia, subject to the following conditions:

1.

Commencing on the effective date of this Consent Order, Respondent's license shall be placed on probation until discharged by the Board, with the following terms and conditions of probation:

(a) Restrictions on Practice.

Respondent may practice medicine only in a structured setting such as a prison, mental health center, or state hospital, which location must be approved in writing by the Board. If Respondent engages in a practice of medicine that has not been approved by the Board in writing, Respondent's license shall be subject to revocation, upon substantiation thereof. Additionally, Respondent is permitted to work a maximum of thirty (30) hours per week. One year from the docket date of the Consent Order, Respondent may petition the Board to lift this practice restriction. At the time of Respondent's request, he must provide written statements from both his supervising and monitoring physicians indicating that they support the lifting or modifying of this restriction. This restriction shall remain in effect pending notification from the Board that the limitation has been lifted. If such petition is denied, Respondent may not petition the Board to lift the restriction for six months from the date of denial of his petition. The Board shall have sole discretion whether to lift the practice restriction and a denial of Respondent's petition shall in no way be considered a contested case as provided in the Administrative Procedures Act, O.C.G.A. Title 50.

Respondent additionally agrees that he may treat only male patients until further order of the Board. If Respondent treats female patients, Respondent's license shall be subject to revocation, upon substantiation thereof. Three years from the effective date of this Consent Order, Respondent may petition the Board in writing for lifting or modification of this practice restriction to treat only male patients. At the time of Respondent's petition, he must provide written statements and/or documentation from his treating physician supporting the modification or lifting of this restriction. At such time, the Board shall have the discretion to modify this restriction, subject to any conditions that the Board may deem appropriate, or to

deny the petition without a hearing. In the event the Board denies Respondent's petition to have this restriction on his medical license lifted or modified, Respondent may petition every six (6) months thereafter. In any event, the restriction set forth in this paragraph shall remain in effect pending Respondent's receipt of a written order lifting or modifying the restriction.

(b) Abstain from Mood Altering Substances and Specified Medications.

Respondent shall completely abstain from the consumption of alcohol. Respondent shall also completely abstain from the consumption of mood altering substances and steroids, except as prescribed by a duly licensed practitioner for a legitimate medical purpose. Respondent shall report any such treatment to the monitoring physician if different from the treating physician, and the treating and/or monitoring physician shall report any such treatment and prescribing to the Board in writing. If such treatment entails use of narcotic or other potentially addictive substances, a consultation with a Board approved addictionologist shall be obtained at the direction of the Medical Director.

(c) Supervision and Monitoring. Respondent shall designate a supervising physician approved in writing by the Board who works in the same office as Respondent and who will supervise his work or who works in another location but will meet with Respondent on a weekly basis at Respondent's workplace to observe his practice and review twenty percent of his patient files. Respondent shall also designate an acceptable monitoring physician approved in writing by the Board with whom Respondent will continue therapeutic treatment on a weekly basis, and who will monitor any medications Respondent is prescribed. Respondent shall provide a copy of this Consent Order to both physicians. Such physicians shall sign a statement to be submitted in conjunction with the Consent Order as evidence of having read and understood the Consent Order and having agreed to serve as Respondent's supervising and monitoring physicians. Respondent shall obtain prior Board approval through the Medical Director for any change in the monitoring or supervising physician.

(d) Quarterly Reports. Respondent shall submit or cause to be submitted quarterly reports from his supervising and monitoring physicians regarding his performance and

BEFORE THE COMPOSITE STATE BOARD OF MEDICAL EXAMINERS
STATE OF GEORGIA

**Composite State Board
of Medical Examiners**

DEC 07 2006

IN THE MATTER OF:

KAMAU MOYENDA, M.D.
License No. 031391,

Respondent.

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DOCKET NO.

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CONSENT ORDER LIFTING SUSPENSION SUBJECT TO RESTRICTIONS

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FINDINGS OF FACT

1.

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

2.

On or about July 2005, the Board voted to order the Respondent to undergo a mental and physical evaluation. From July 18 through July 22, 2005, the Respondent completed this evaluation. The Respondent also signed an "Agreement Not to Practice" in September of 2005, and states that he has not been practicing since then.

3.

Respondent entered into a Public Consent Order with the Board on July 5, 2006, in which he agreed to the suspension of his license to practice medicine until further order of the Board. Said order also provided that Respondent could petition for the lifting of his suspension at such

time as he has undergone a complete evaluation and his treating psychiatrist has determined that he could return to the practice of medicine with reasonable skill and safety.

4.

In September of 2006, the Board received information from Respondent's treating psychiatrist indicating that Respondent is ready to return to the practice of medicine with reasonable skill and safety so long as Respondent continues his therapy and follows certain guidelines.

5.

The Respondent waives any further findings of fact with respect to the above matter.

CONCLUSIONS OF LAW

The Respondent's conduct constitutes sufficient grounds for the Board to exercise its disciplinary authority and to impose sanctions on the Respondent as a licensee under O.C.G.A. Ch. 34, T. 43, as amended, O.C.G.A. § 43-1-19(a) and the Rules of the Composite State Board of Medical Examiners. The Respondent waives any further findings of law with respect to this matter.

ORDER

The Composite State Board of Medical Examiners, having considered the particular facts and circumstances of this case, hereby orders, and Respondent hereby agrees, that the suspension of Respondent's license to practice medicine in the State of Georgia is hereby lifted and that Respondent may practice medicine in the State of Georgia, subject to the following conditions:

1.

Commencing on the effective date of this Consent Order, Respondent's license shall be placed on probation until discharged by the Board, with the following terms and conditions of probation:

(a) Restrictions on Practice.

Respondent may practice medicine only in a structured setting such as a prison, mental health center, or state hospital, which location must be approved in writing by the Board. If Respondent engages in a practice of medicine that has not been approved by the Board in writing, Respondent's license shall be subject to revocation, upon substantiation thereof. Additionally, Respondent is permitted to work a maximum of thirty (30) hours per week. One year from the docket date of the Consent Order, Respondent may petition the Board to lift this practice restriction. At the time of Respondent's request, he must provide written statements from both his supervising and monitoring physicians indicating that they support the lifting or modifying of this restriction. This restriction shall remain in effect pending notification from the Board that the limitation has been lifted. If such petition is denied, Respondent may not petition the Board to lift the restriction for six months from the date of denial of his petition. The Board shall have sole discretion whether to lift the practice restriction and a denial of Respondent's petition shall in no way be considered a contested case as provided in the Administrative Procedures Act, O.C.G.A. Title 50.

Respondent additionally agrees that he may treat only male patients until further order of the Board. If Respondent treats female patients, Respondent's license shall be subject to revocation, upon substantiation thereof. Three years from the effective date of this Consent Order, Respondent may petition the Board in writing for lifting or modification of this practice restriction to treat only male patients. At the time of Respondent's petition, he must provide written statements and/or documentation from his treating physician supporting the modification or lifting of this restriction. At such time, the Board shall have the discretion to modify this restriction, subject to any conditions that the Board may deem appropriate, or to

deny the petition without a hearing. In the event the Board denies Respondent's petition to have this restriction on his medical license lifted or modified, Respondent may petition every six (6) months thereafter. In any event, the restriction set forth in this paragraph shall remain in effect pending Respondent's receipt of a written order lifting or modifying the restriction.

(b) Abstain from Mood Altering Substances and Specified Medications.

Respondent shall completely abstain from the consumption of alcohol. Respondent shall also completely abstain from the consumption of mood altering substances and steroids, except as prescribed by a duly licensed practitioner for a legitimate medical purpose. Respondent shall report any such treatment to the monitoring physician if different from the treating physician, and the treating and/or monitoring physician shall report any such treatment and prescribing to the Board in writing. If such treatment entails use of narcotic or other potentially addictive substances, a consultation with a Board approved addictionologist shall be obtained at the direction of the Medical Director.

(c) Supervision and Monitoring. Respondent shall designate a supervising physician approved in writing by the Board who works in the same office as Respondent and who will supervise his work or who works in another location but will meet with Respondent on a weekly basis at Respondent's workplace to observe his practice and review twenty percent of his patient files. Respondent shall also designate an acceptable monitoring physician approved in writing by the Board with whom Respondent will continue therapeutic treatment on a weekly basis, and who will monitor any medications Respondent is prescribed. Respondent shall provide a copy of this Consent Order to both physicians. Such physicians shall sign a statement to be submitted in conjunction with the Consent Order as evidence of having read and understood the Consent Order and having agreed to serve as Respondent's supervising and monitoring physicians. Respondent shall obtain prior Board approval through the Medical Director for any change in the monitoring or supervising physician.

(d) Quarterly Reports. Respondent shall submit or cause to be submitted quarterly reports from his supervising and monitoring physicians regarding his performance and

mental/physical condition by March 31, June 30, September 30, and December 31, including a report on any medication being prescribed to Respondent. Failure to submit or have such reports submitted in a timely manner shall be considered a violation of this Consent Order. It is expected that said supervising and monitoring physicians shall be in communication with each other and will immediately report any change in Respondent's condition which would render Respondent unable to practice with reasonable skill and safety to patients. By executing this Consent Order, Respondent specifically agrees that his monitoring and supervising physicians (or any other facility where Respondent obtains medical treatment) may report on Respondent's condition, notwithstanding any privilege provided by state or federal law.

(e) DEA Restriction. Respondent shall comply with Board rules that prohibit Respondent's prescribing, administering, ordering, or dispensing controlled substances and/or dangerous drugs for personal and family use. Respondent shall obtain and use a personal physician for his medical needs.

(f) Random Drug/Alcohol Screens. The Board or its representative or Respondent's supervising or monitoring physicians shall have the authority at any time to order Respondent to undergo random witnessed and immediate drug/alcohol urine, biological fluid or blood screen analysis at Respondent's expense. Proper chain of custody shall be maintained and positive results shall be confirmed by such means as may be required to ensure the validity of such screening.

(g) Further evaluation. At any time during the period of probation, the Board shall also have the authority to order Respondent to undergo a physical or mental evaluation by physicians designated by the Board. Respondent shall execute such releases as may be required for the Board to obtain the results of such evaluations.

(h) Inspections/Interviews. During the probationary period, the Medical Director or another Board representative shall periodically review and inspect Respondent's records. The representative is authorized to review and inspect these records at any reasonable time and as often as the representative deems necessary. Respondent shall have the right to be present during

such inspection of records and the patient's privacy and confidentiality rights shall be maintained. Respondent shall be available, upon reasonable notice, for personal interviews with the Medical Director or other representative of the Board. Failure of Respondent to be reasonably available for inspection of his records or for his personal interviews with a Board representative shall be considered a violation of this Consent Order.

(i) Continuing Medical Education. Respondent shall obtain twenty (20) hours of continuing medical education ("CME") in the area of boundary violations in addition to the CME required of all Georgia physicians. Respondent shall complete said additional twenty hours within two years from the docketing of this order. Prior to obtaining the CME, Respondent shall submit the title of the course(s) he plans to attend and information concerning the course(s) to the Board. Within two years from the docketing of this consent order, Respondent shall submit proof of completion of said additional twenty hours to the Board.

(j) Abide by Laws, Rules and Terms. Respondent shall abide by all State and Federal laws regulating his practice as a physician, the Rules and Regulations of the Composite State Board of Medical Examiners, and the terms of this Consent Order and probation. If Respondent shall fail to abide by such laws, rules or terms, or if it should appear from monitoring reports submitted to the Board that Respondent is otherwise unable to practice as a physician 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 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 he shall be entitled to an expedited hearing to substantiate such violation(s), if the Board exercises such right.

(k) Disclosure. In addition to other disclosures required by this Consent Order, Respondent shall supply a copy of this Consent Order, once approved and docketed by the Board, and within ten (10) days from the receipt of the docketed copy by Respondent, to each hospital or other institution in Georgia where Respondent maintains staff privileges of any kind, and to any person with whom Respondent is associated in practice, including other physicians or physician's assistants or to any person or entity for whom Respondent is employed as a physician in the State of Georgia. Respondent shall also be required to disclose the existence of and provide a copy of this Consent Order to such individuals or entities in connection with any future application for institutional appointment, associated practice, utilization of a physician's assistant, or employment as a physician in the State of Georgia while this Consent Order is in effect. By executing this Consent Order, Respondent specifically consents to any such individuals or entities reporting to the Board information which would affect Respondent's ability to practice medicine with reasonable skill and safety to patients, notwithstanding any privilege provided by state or federal law.

(l) Residency Outside Georgia. In the event Respondent should leave Georgia to reside or practice outside Georgia for periods longer than sixty (60) consecutive days, Respondent shall notify the Board in writing of the dates of departure and return. Periods of residency or practice outside Georgia as well as periods when Respondent is not actively engaged in the practice of medicine or is on inactive licensure status will not apply to the reduction of Respondent's probationary period, except as authorized by the Board. Respondent shall advise the Board of any change in address of record or employment status.

(m) Termination of Probation. Respondent shall not be eligible to petition for termination of probation until five (5) years from the effective date of this Consent Order. At such time, Respondent may petition for termination by certifying under oath before a notary public that he has complied with all conditions of probation, by providing documentation supporting discharge from probation, and by providing a report from his treating psychiatrist that supports the termination of probation. At such time, the Board shall be authorized to restore all

rights and privileges incident to the license of Respondent, unless the Board has received information that Respondent has not complied with the terms of probation or has otherwise failed to comply with the laws and rules regulating the practice of medicine. Should the Board determine that reasonable cause exists for maintaining Respondent's license on a probationary status, the Board shall notify Respondent of its intent to extend the probationary period, and Respondent may respond to such notification in writing or request an appearance before the Board or its representative as in a non-contested case. In any event, this Consent Order shall remain in effect pending a final determination by the Board and notification that the probationary period has been terminated.

2.

This Consent Order and dissemination thereof shall serve as a public reprimand to the Respondent for his conduct.

3.

This Consent Order shall constitute a public order of the Board that may be disseminated by the Board as a public record.

4.

Except as provided herein, this Consent Order supersedes any and all preceding consent orders entered into between the Board and Respondent. Nothing in this Consent Order shall be construed as approval by the Board of Respondent's conduct or as a waiver of the lawful rights possessed by the Board.

5.

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.

6.

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 such right by entering into this Consent Order. **He understands that this Consent Order will not become effective until approved and docketed by the Composite State Board of Medical Examiners.** He further understands and agrees that a representative of the Department of Law may be present during presentation of this Consent Order to the Board 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, shall constitute a public record that may be disseminated as a disciplinary action of the Board. However, if the 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 consents to the terms and conditions contained herein.

(signatures continued on following page)

Approved, this 7th day of December, 2006.

**COMPOSITE STATE BOARD OF
MEDICAL EXAMINERS**

(Signatures continued on next page)

BY:

Joseph C. Finley, Sr.
JOSEPH C. FINLEY, SR., M.D.
President

(BOARD SEAL)

(Signatures continued from previous page)

ATTEST:

Lasharn Hughes
LASHARN HUGHES
Executive Director

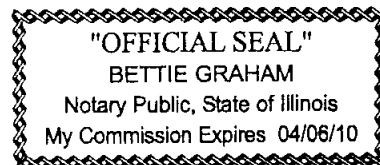
CONSENTED TO:

Kamau Moyenda, M.D.
KAMAU MOYENDA, M.D.
Respondent

Sworn to and subscribed
before me this 10 day
of October, 2006.

Betty Graham
NOTARY PUBLIC

My commission expires: April 6, 2010



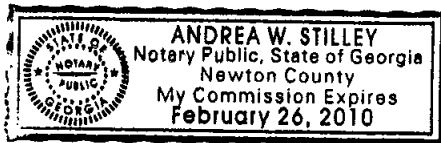
MONITORING AND SUPERVISING PHYSICIAN STATEMENT

The undersigned monitoring and supervising physicians acknowledge that they have read the attached Consent Order and agree to serve as Respondent's monitoring and supervising physicians.

Sworn to and subscribed
before me this 1st day
of November 2006

Andrea W. Stille
NOTARY PUBLIC
My commission expires:

Sworn to and subscribed
before me this _____ day
of _____, 2006.



(Signed) Iverson C Bell Jr
Name (Please print):
Monitoring (Treating) Physician
Georgia Medical License Number: 021376
Address: Ste 315 285 Boulevard
Telephone: 770 394 9562

(Signed) M. Betty
Name (please print):
Supervising (Workplace) Physician
Georgia Medical License Number: 032873
Address: Suite 770 34 Peachtree St.
Telephone: ATLANTA, GA 30303
404-507-7100

Brenda Goun
Notary Public
My commission expires 11-1-09

mental/physical condition by March 31, June 30, September 30, and December 31, including a report on any medication being prescribed to Respondent. Failure to submit or have such reports submitted in a timely manner shall be considered a violation of this Consent Order. It is expected that said supervising and monitoring physicians shall be in communication with each other and will immediately report any change in Respondent's condition which would render Respondent unable to practice with reasonable skill and safety to patients. By executing this Consent Order, Respondent specifically agrees that his monitoring and supervising physicians (or any other facility where Respondent obtains medical treatment) may report on Respondent's condition, notwithstanding any privilege provided by state or federal law.

(e) DEA Restriction. Respondent shall comply with Board rules that prohibit Respondent's prescribing, administering, ordering, or dispensing controlled substances and/or dangerous drugs for personal and family use. Respondent shall obtain and use a personal physician for his medical needs.

(f) Random Drug/Alcohol Screens. The Board or its representative or Respondent's supervising or monitoring physicians shall have the authority at any time to order Respondent to undergo random witnessed and immediate drug/alcohol urine, biological fluid or blood screen analysis at Respondent's expense. Proper chain of custody shall be maintained and positive results shall be confirmed by such means as may be required to ensure the validity of such screening.

(g) Further evaluation. At any time during the period of probation, the Board shall also have the authority to order Respondent to undergo a physical or mental evaluation by physicians designated by the Board. Respondent shall execute such releases as may be required for the Board to obtain the results of such evaluations.

(h) Inspections/Interviews. During the probationary period, the Medical Director or another Board representative shall periodically review and inspect Respondent's records. The representative is authorized to review and inspect these records at any reasonable time and as often as the representative deems necessary. Respondent shall have the right to be present during

such inspection of records and the patient's privacy and confidentiality rights shall be maintained. Respondent shall be available, upon reasonable notice, for personal interviews with the Medical Director or other representative of the Board. Failure of Respondent to be reasonably available for inspection of his records or for his personal interviews with a Board representative shall be considered a violation of this Consent Order.

(i) Continuing Medical Education. Respondent shall obtain twenty (20) hours of continuing medical education ("CME") in the area of boundary violations in addition to the CME required of all Georgia physicians. Respondent shall complete said additional twenty hours within two years from the docketing of this order. Prior to obtaining the CME, Respondent shall submit the title of the course(s) he plans to attend and information concerning the course(s) to the Board. Within two years from the docketing of this consent order, Respondent shall submit proof of completion of said additional twenty hours to the Board.

(j) Abide by Laws, Rules and Terms. Respondent shall abide by all State and Federal laws regulating his practice as a physician, the Rules and Regulations of the Composite State Board of Medical Examiners, and the terms of this Consent Order and probation. If Respondent shall fail to abide by such laws, rules or terms, or if it should appear from monitoring reports submitted to the Board that Respondent is otherwise unable to practice as a physician 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 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 he shall be entitled to an expedited hearing to substantiate such violation(s), if the Board exercises such right.

(k) Disclosure. In addition to other disclosures required by this Consent Order, Respondent shall supply a copy of this Consent Order, once approved and docketed by the Board, and within ten (10) days from the receipt of the docketed copy by Respondent, to each hospital or other institution in Georgia where Respondent maintains staff privileges of any kind, and to any person with whom Respondent is associated in practice, including other physicians or physician's assistants or to any person or entity for whom Respondent is employed as a physician in the State of Georgia. Respondent shall also be required to disclose the existence of and provide a copy of this Consent Order to such individuals or entities in connection with any future application for institutional appointment, associated practice, utilization of a physician's assistant, or employment as a physician in the State of Georgia while this Consent Order is in effect. By executing this Consent Order, Respondent specifically consents to any such individuals or entities reporting to the Board information which would affect Respondent's ability to practice medicine with reasonable skill and safety to patients, notwithstanding any privilege provided by state or federal law.

(l) Residency Outside Georgia. In the event Respondent should leave Georgia to reside or practice outside Georgia for periods longer than sixty (60) consecutive days, Respondent shall notify the Board in writing of the dates of departure and return. Periods of residency or practice outside Georgia as well as periods when Respondent is not actively engaged in the practice of medicine or is on inactive licensure status will not apply to the reduction of Respondent's probationary period, except as authorized by the Board. Respondent shall advise the Board of any change in address of record or employment status.

(m) Termination of Probation. Respondent shall not be eligible to petition for termination of probation until five (5) years from the effective date of this Consent Order. At such time, Respondent may petition for termination by certifying under oath before a notary public that he has complied with all conditions of probation, by providing documentation supporting discharge from probation, and by providing a report from his treating psychiatrist that supports the termination of probation. At such time, the Board shall be authorized to restore all

rights and privileges incident to the license of Respondent, unless the Board has received information that Respondent has not complied with the terms of probation or has otherwise failed to comply with the laws and rules regulating the practice of medicine. Should the Board determine that reasonable cause exists for maintaining Respondent's license on a probationary status, the Board shall notify Respondent of its intent to extend the probationary period, and Respondent may respond to such notification in writing or request an appearance before the Board or its representative as in a non-contested case. In any event, this Consent Order shall remain in effect pending a final determination by the Board and notification that the probationary period has been terminated.

2.

This Consent Order and dissemination thereof shall serve as a public reprimand to the Respondent for his conduct.

3.

This Consent Order shall constitute a public order of the Board that may be disseminated by the Board as a public record.

4.

Except as provided herein, this Consent Order supersedes any and all preceding consent orders entered into between the Board and Respondent. Nothing in this Consent Order shall be construed as approval by the Board of Respondent's conduct or as a waiver of the lawful rights possessed by the Board.

5.

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.

6.

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 such right by entering into this Consent Order. **He understands that this Consent Order will not become effective until approved and docketed by the Composite State Board of Medical Examiners.** He further understands and agrees that a representative of the Department of Law may be present during presentation of this Consent Order to the Board 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, shall constitute a public record that may be disseminated as a disciplinary action of the Board. However, if the 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 consents to the terms and conditions contained herein.

(signatures continued on following page)

Approved, this 7th day of December, 2006.

**COMPOSITE STATE BOARD OF
MEDICAL EXAMINERS**

(Signatures continued on next page)

BY:

Joseph C. Finley, Sr.
JOSEPH C. FINLEY, SR., M.D.
President

(BOARD SEAL)

(Signatures continued from previous page)

ATTEST:

Lasharn Hughes
LASHARN HUGHES
Executive Director

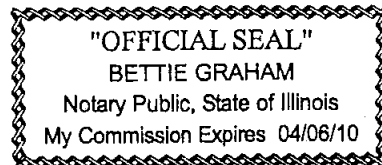
CONSENTED TO:

Kamau Moyenda, M.D.
KAMAU MOYENDA, M.D.
Respondent

Sworn to and subscribed
before me this 10 day
of October, 2006.

Betty Graham
NOTARY PUBLIC

My commission expires: April 6, 2010



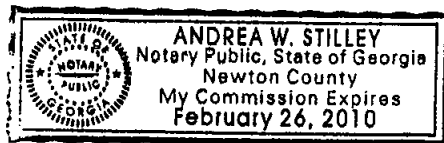
MONITORING AND SUPERVISING PHYSICIAN STATEMENT

The undersigned monitoring and supervising physicians acknowledge that they have read the attached Consent Order and agree to serve as Respondent's monitoring and supervising physicians.

Sworn to and subscribed
before me this 1st day
of November 2006

Andrea W. Stilley
NOTARY PUBLIC
My commission expires:

Sworn to and subscribed
before me this _____ day
of _____, 2006.



(Signed) Iverson C Bell Jr
Name (Please print):
Monitoring (Treating) Physician
Georgia Medical License Number: 021376
Address: Ste 315 285 Boulevard
Telephone: 770 394 9562

(Signed) M. B. [Signature]
Name (please print):
Supervising (Workplace) Physician
Georgia Medical License Number: 032073
Address: Suite 770 34 Peachtree St.
Telephone: Atlanta, GA 30303
404-507-7100

Brenda Gowan
Notary Public
My commission expires 11-1-09

BEFORE THE COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

Composite State Board
of Medical Examiners

STATE OF GEORGIA

JUL 14 2006

IN THE MATTER OF:

KAMAU MOYENDA, M.D.
License No. 031391,

Respondent.

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*
*

DOCKET NUMBER

DOCKET NO. 10050031

CONSENT ORDER

By agreement of the Composite State Board of Medical Examiners ("Board") and Kamau Moyenda, M.D. ("Respondent") the following interim disposition of this matter is entered pursuant to the provisions of O.C.G.A. § 50-13-13(a)(4), as amended.

FINDINGS OF FACT

1.

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

2.

On or about July 2005, the Board voted to order the Respondent to undergo a mental and physical evaluation. From July 18 through July 22, 2005, the Respondent completed this evaluation. The Respondent also signed an "Agreement Not to Practice" in September of 2005, and states that he has not been practicing since then.

3.

The Respondent waives any further findings of fact with respect to the above matter.

CONCLUSIONS OF LAW

The Respondent's conduct constitutes sufficient grounds for the Board to exercise its disciplinary authority and to impose sanctions on the Respondent as a licensee under O.C.G.A. Ch. 34, T. 43, as amended, O.C.G.A. § 43-1-19(a) and the Rules of the Composite State Board of Medical Examiners. The Respondent waives any further findings of law with respect to this matter.

ORDER

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

1.

The Respondent agrees that his license to practice medicine in the State of Georgia shall be suspended indefinitely and that he shall not practice medicine in the State of Georgia until such time as the Board grants his petition to have the suspension lifted or grants the petition with certain conditions, as described in paragraph 3 herein. If the Respondent practices medicine in the State of Georgia without the prior express written permission of the Board, his license shall be subject to revocation, upon substantiation thereof. The Respondent also acknowledges and agrees that the Board shall show that the Respondent's license is suspended on its data bank and may respond to public inquiries that the Respondent's license is suspended.

2.

During the period of suspension, the Respondent shall continue to obtain continuing education as required by O.C.G.A. § 43-34-3 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 the Respondent's license without a hearing as provided by O.C.G.A. § 43-1-19(l), with reinstatement within the discretion of the Board. The Respondent acknowledges that when considering the reinstatement of an administratively revoked license, the Board has authority to review any investigative file relating to the Respondent.

3.

Following the docketing of this Consent Order, the Respondent shall schedule a meeting with the Impairment Committee of the Board. During this meeting, the Respondent shall discuss his compliance with the recommendations from the Evaluator in his July 2005 evaluation.

After meeting with the Impairment Committee of the Board, the Respondent may then petition the Board to have his suspension status lifted. Prior to the Board considering Respondent's petition to have the suspension lifted, the Board shall review and evaluate the Respondent's current condition. The Board may require the Respondent to personally meet with the Board or any committee thereof. The Board may require the Respondent to demonstrate to the satisfaction of the Board that he has maintained current knowledge, skill and proficiency in the practice of medicine. The Board may require the Respondent to submit proof of continuing education and/or the passage of an examination as provided in Board Rule 360-2-.02(6).

The Board shall have the discretion to lift the suspension of Respondent's license to practice medicine in the State of Georgia, to place upon Respondent's license any conditions that the Board may deem appropriate, to have the Respondent submit to a second mental and physical evaluation, to deny the petition to have the suspension lifted without a hearing, and/or to revoke the license. Any such decision by the Board shall be within the sole discretion of the Board. In the event that the Board decides to deny the petition to have the suspension lifted, Respondent

may request an appearance before the Board, but said appearance shall not be considered a contested case within the meaning of Chapter 13 of Title 50 of the Georgia Administrative Procedure Act. In the event that the Board decides to revoke the license, Respondent has the right to a hearing as provided by Chapter 13 of Title 50 of the Georgia Administrative Procedure Act.

In the event the Board decides to have the Respondent undergo a second mental and physical evaluation, the Respondent shall sign the appropriate release forms to allow his Evaluator to have access to his previous medical and mental health records and for the Evaluator to release the evaluation to the Board. The evaluation shall include a detailed explanation of the Respondent's current condition, including but not limited to his current mental and physical status, his understanding of the reasons leading up to and/or continuing his unethical, illegal, immoral and unprofessional conduct, a review of previous mental health and medical records, and the Evaluator's recommendations and conclusions as to the Respondent's ability to return to the practice of medicine with reasonable skill and safety to patients. If the Evaluator supports his return to practice, he or she must include recommendations about restrictions (if any) that should be placed on his license to practice medicine in Georgia. The Evaluator shall send a copy of the evaluation directly to the Board. On receipt of the evaluation, the Board shall review and evaluate the Respondent's current condition, including the evaluation, his compliance with this Consent Order and his compliance with all State and Federal laws. The Board may require the Respondent to personally meet with the Board or any committee thereof to discuss the Respondent's current condition. The Board may require the Respondent to demonstrate to the satisfaction of the Board that he has maintained current knowledge, skill and proficiency in the practice of medicine as required by the Board.

4.

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

5.

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

6.

Approval of this Interim 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 this matter.

7.

Respondent acknowledges that he is represented by counsel and that he has read and understands the contents of this Interim Consent Order. Respondent understands that he has the right to a hearing in this matter, and Respondent freely, knowingly and voluntarily waives such right at this time in accordance with the terms set forth herein by entering into this Interim Consent Order. Respondent further understands and agrees that a representative of the Department of Law may be present during the presentation 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 understands that this Interim Consent Order will not become effective until approved and docketed by the Composite State Board of Medical Examiners. Respondent further understands that this Interim Consent Order shall not prejudice

the ability of the Board to finally adjudicate this matter or constitute an admission against interest in this proceeding. Respondent consents to the terms contained herein.

Approved, this 14th day of July, 2006.

**COMPOSITE STATE BOARD OF
MEDICAL EXAMINERS**

(Signatures continued on next page)

BY:

[Signature]
~~VINAYAK KAMATH, M.D.~~
President Joseph C. Finke Sr. MD

(BOARD SEAL)

(Signatures continued from previous page)

ATTEST:

[Signature]
LASHARN HUGHES
Executive Director

CONSENTED TO:

[Signature]
KAMAU MOYENDA, M.D.
Respondent

Sworn to and subscribed
before me this 5th day
of July, 2006.

[Signature]
NOTARY PUBLIC
My commission expires:

