

GEORGIA COMPOSITE  
MEDICAL BOARD

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

MAR 14 2014

IN THE MATTER OF: )

DAVID M. BATTISTA, M.D., )

License No.: 68107 )

DOCKET NO. DOCKET NUMBER:  
10130035

VOLUNTARY SURRENDER

I, David Mark Battista, MD/DO, holder of License No. 68107 to practice as a physician in the State of Georgia, hereby freely, knowingly, and voluntarily surrender said license to the Board. I hereby acknowledge that this surrender shall have the same effect as a revocation of my license, and I knowingly forfeit and relinquish all right, title and privilege to practice this profession in the State of Georgia, unless and until such time as my license may be reinstated, in the sole discretion of the Board.

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

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

*David M. Battista, MD*  
LICENSEE

Sworn to and subscribed before me  
this 4 day of March, 2014.

NOTARY PUBLIC  
Commission Expires: 5/22/2017

**Stoyka Kostova**  
NOTARY PUBLIC  
Fulton County, GEORGIA  
My Commission Expires  
5/22/2017

ACCEPTANCE OF SURRENDER

The Voluntary Surrender of License No. 68107 is hereby accepted by the Board, this 14<sup>th</sup> day of MARCH, 2014.

BY: *Richard Weir, M.D.*  
Board Chair  
Georgia Composite Medical Board

ATTEST: *L. Sharn Hughes*  
L. Sharn Hughes, Executive Director  
Georgia Composite Medical Board

(BOARD SEAL)

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD  
**GEORGIA COMPOSITE  
MEDICAL BOARD**  
STATE OF GEORGIA

JUN 10 2013

IN THE MATTER OF: )  
 )  
DAVID M. BATTISTA, M.D., )  
 )  
License No. 68107, )  
 )  
Respondent. )

**DOCKET NUMBER**

10130035

ORDER OF SUMMARY SUSPENSION

1.

WHEREAS, DAVID M. BATTISTA, M.D. ("Respondent") was licensed by the Georgia Composite Medical Board ("Board") to practice as a physician in the State of Georgia on or about June 8, 2012 and his license expires December 31, 2013.

2.

WHEREAS, on or about May 13, 2013, based on concerns about Respondent's ability to practice medicine safely and his ability to understand the laws and rules of the Board concerning the practice of pain management, the Board issued an Order for Mental/Physical Examination which required Respondent to obtain a mental/physical examination and provide the results to the Board within seven (7) days from the date of service of the Order or to provide a release for the results of a substantially equivalent evaluation conducted no more than thirty (30) days prior to the date of service of the Order. The Order for Mental/Physical Examination was served upon Respondent on or about May 16, 2013.

3.

WHEREAS, the Respondent has not provided the results of a mental/physical examination to the Board nor has the Respondent provided a release for the results of a substantially equivalent evaluation to the Board.

NOW THEREFORE, the Board finds that summary suspension of Respondent's license to practice as a physician in the State of Georgia is warranted under O.C.G.A. § 50-13-18(c)(1), and hereby ORDERS that Respondent's license to practice as a physician in the State of Georgia be and is hereby SUMMARILY SUSPENDED pending further proceedings on behalf of the Board.

If the Respondent wishes to have an expedited hearing, Respondent shall execute and file with the Georgia Composite Medical Board the original and one copy of the attached REQUEST FOR EXPEDITED HEARING no later than fourteen (14) days from the day of service or receipt of this Order. Respondent also shall serve a copy of such REQUEST upon counsel for the Board as identified in the REQUEST.

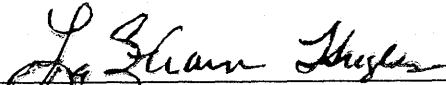
This Order is signed and attested by the Executive Director on behalf of the Georgia Composite Medical Board.

This 10th day of June, 2013.

**GEORGIA COMPOSITE MEDICAL BOARD**

WILLIAM J. BUTLER, M.D.  
Chairman

(BOARD SEAL)

  
LASHARN HUGHES  
Executive Director

PLEASE DIRECT ALL CORRESPONDENCE TO:  
Janet Bolt Wray  
Senior Assistant Attorney General  
Department of Law  
40 Capitol Square, S.W.  
Atlanta, Georgia 30334

**BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD  
STATE OF GEORGIA**

**IN THE MATTER OF:** )  
 )  
**DAVID M. BATTISTA, M.D.,** )  
**License No. 68107,** )  
 )  
**Respondent.** )

**REQUEST FOR EXPEDITED HEARING**

I, DAVID M. BATTISTA, M.D., having been served with the Order of Summary Suspension by the Georgia Composite Medical Board ("Board"), do hereby request an expedited hearing. I reserve the right to file a response to a Notice of Hearing in this matter.

This \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
DAVID M. BATTISTA, M.D.  
Respondent

( ) I am/will be represented by counsel  
Name of counsel if known at this time:

\_\_\_\_\_

**THIS REQUEST MUST BE FILED WITH THE GEORGIA COMPOSITE  
MEDICAL BOARD, 2 PEACHTREE STREET, N.W., 36<sup>TH</sup> FLOOR, ATLANTA,  
GEORGIA 30303-3465.**

**A COPY OF THIS REQUEST MUST BE SERVED ON THE OFFICE OF THE  
ATTORNEY GENERAL, ATTN: JANET BOLT WRAY, SENIOR ASSISTANT  
ATTORNEY GENERAL, 40 CAPITOL SQUARE, ATLANTA, GEORGIA 30334.**