

BEFORE THE COMPOSITE STATE BOARD OF MEDICAL EXAMINERS  
STATE OF GEORGIA

JUN 23 2006

IN THE MATTER OF:

JAMES MCKNIGHT, M.D.  
License No. 036216,

Respondent.

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DOCKET NO. 2006 0113

**PUBLIC CONSENT ORDER**

By agreement of the Composite State Board of Medical Examiners ("Board") and James McKnight, 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.

Respondent is licensed to practice medicine in the State of Georgia and has been so licensed at all times relevant to the matters asserted herein.

2.

O.C.G.A. Ch. 34A, T. 43 requires the Board to collect information from physicians to create physician profiles for dissemination to the public. Board Rule 360-28-.08 provides that physician compliance with the request from the Board for profile information is mandatory.

3.

Pursuant to Board Rule 360-2-.05, each licensee shall notify the Board within thirty (30) days, in writing of all changes of address. Any mailing or notice from the Board shall be considered to be served on the licensee when sent to the licensee's last address on file with the Board.

4.

On or about March 25, the Board sent a letter to Respondent's address of record requesting that he complete a physician profile by April 24, 2003.

5.

The Board did not receive Respondent's completed profile by April 24, 2003. On June 3, 2003, another letter was sent to Respondent at his address of record requesting compliance with the Board's request for profile information. The Board did not receive a completed profile from Respondent in response to this letter.

6.

On or about August 6, 2003, a letter was sent to Respondent's address of record with the Board via certified mail return receipt. Said letter informed the Respondent that the Board had not received a completed profile from him. The letter advised Respondent that, if he held an active license in Georgia, he must complete a profile. The letter further advised Respondent that if he wished to avoid disciplinary action, the Board must receive his profile by August 21, 2003. Said letter was received and signed for as received by Respondent at Respondent's address of record on or about August 11, 2003. The Board did not receive a completed profile from Respondent in response to this letter.

7.

When Respondent submitted his Internet renewal application to the Board on December 30, 2004, the Respondent answered, "Yes," when asked, "Have you completed and updated your physician profile?" Said renewal question was followed by the statement: ***"If not, you may not renew until your profile is complete."*** In fact, Respondent had not completed and updated his profile when he answered yes on the Internet renewal application and renewed his

license to practice medicine in the State of Georgia. Respondent also provided a new address of record on said renewal application.

8.

The Board did not receive a completed profile from Respondent until December 30, 2005.

9.

Respondent admits the above finding of fact and waives any further findings of fact with respect to the above matter.

### **CONCLUSIONS OF LAW**

Respondent's conduct constitutes sufficient grounds for the Board to exercise its disciplinary authority and to impose sanctions on Respondent as a licensee under O.C.G.A. Chs. 34, and 34A, T. 43, as amended, O.C.G.A. § 43-1-19(a) and the Rules of the Composite State Board of Medical Examiners. 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.

Respondent shall submit to the Board a fine of one thousand dollars (\$1000.00), to be paid in full by cashier's check or money order made payable to the Board within 30 days of the docket date of this Consent Order. Failure to pay the entire amount by the 30<sup>th</sup> day shall be considered a violation of this Order and shall result in further sanction of Respondent's license, including revocation, upon substantiation thereof.

2.

This Consent Order shall be considered a PUBLIC REPRIMAND of Respondent by the Board and may be disseminated as such.

3.

Respondent acknowledges that he has read and understands the contents of this Consent Order. Respondent understands that he has the right to a hearing in this matter, and Respondent freely, knowingly and voluntarily waives such right by entering into this Consent Order. Respondent further understands and agrees that a representative of the Department of Law may be present during the 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 whether to approve and docket this Consent Order. Respondent understands that this Consent Order will not become effective until approved and docketed by the Composite State Board of Medical Examiners. Respondent further understands that this Consent Order, once approved, shall constitute a public record, which may be disseminated as a disciplinary action of the Board. Respondent acknowledges that O.C.G.A. Ch. 34A, T. 43 requires that a record of this violation be maintained as part of the physician profile. Therefore, Respondent hereby gives the Board permission to update his physician profile to reflect said violation. If this Consent Order is not approved, it shall not constitute an admission against interest in this proceeding, or prejudice the ability of the Board or Respondent to adjudicate this matter. Respondent consents to the terms and sanctions contained herein.

Approved, this 23<sup>rd</sup> day of June, 2006.

**COMPOSITE STATE BOARD OF  
MEDICAL EXAMINERS**

BY: *M. Vinayak Kamath*  
M. VINAYAK KAMATH, M.D..  
President

(BOARD SEAL)

ATTEST: *Lasharn Hughes*  
LASHARN HUGHES  
Executive Director

CONSENTED TO: *James Mcknight*  
JAMES MCKNIGHT, M.D.  
Respondent

