

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

STATE OF GEORGIA

JUN 30 2006

IN THE MATTER OF:

SARAH E. BOSWELL, M.D.  
License 36504 (Lapsed)

Respondent.

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DOCKET NUMBER  
DOCKET NO. 2006 0114

**PUBLIC CONSENT ORDER FOR REINSTATEMENT OF LICENSE**

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

**FINDINGS OF FACT**

1.

Applicant was licensed to practice as a Physician in the State of Georgia in February of 1993 and had no prior disciplinary actions. Applicant's license expired on December 31, 2005.

2.

Applicant states that before each prior licensing renewal date, she had received notice from the Board indicating the need to renew her license, although she understood that the Board was under no obligation to supply such notice. Applicant states that prior to the December 31, 2005 expiration of her license, she failed to receive her usual and customary notice from the Board, but likewise failed to take independent action to renew her license without being prompted by the notice.

3.

As a result of the foregoing, from January 1, 2006 until on or about June 7, 2006, Applicant practiced as physician without a current license. However, on or about June 8, 2006,

within two days of Applicant discovering her license was expired, Applicant applied for reinstatement of her license to practice medicine in the State of Georgia.

4.

Applicant admits the above findings of fact and waives any further findings of fact with respect to the above-styled matter.

#### **CONCLUSIONS OF LAW**

Applicant's conduct constitutes sufficient grounds for the imposition of sanctions on Applicant's license to practice as a physician in the State of Georgia pursuant to O.C.G.A., T. 43, Chs. 1 and 34, as amended. Applicant hereby waives any further conclusions of law with respect to the above-styled matter.

#### **ORDER**

The Composite State Board of Medical Examiners, having considered all the facts and circumstances of this case, hereby orders, and Applicant hereby agrees, that the Applicant shall be granted a license to practice as a physician in the State of Georgia subject to the following sanctions.

1.

Applicant shall submit to the Board a fine of five hundred (\$500.00), to be paid in full by cashier's check or money order made payable to the Board within thirty (30) days of the effective date of this Consent Agreement. Failure to pay the entire amount by the 30th day shall be considered a violation of this Agreement, and shall result in further sanctioning of Applicant's authority to practice as a physician, including revocation, upon substantiation thereof.

2.

Because a fine alone is being imposed upon Respondent, this Consent Order does not constitute an adverse licensure action under 42 U.S.C. § 11132 and 45 C.F.R. § 60.8 that must be reported to the National Practitioner Data Bank, nor does this Consent Order constitute a final adverse action under 42 U.S.C. § 1320a-7e and 45 C.F.R. § 61.7 that must be reported to the Healthcare Integrity and Protection Data Bank. Furthermore, although a fine is not one of the specific actions enumerated in O.C.G.A. § 43-34-37(b) that is reportable in a physician profile pursuant to the Georgia Patient Right to Know Act of 2001, O.C.G.A. T. 43, Ch. 34A, it is the position of the Board that all public orders will be made available for viewing by the general public on the Board's website.

3.

Nothing in this Consent Order shall prohibit the Board from bringing future disciplinary actions for allegations not raised in this Consent Order.

4.

Applicant acknowledges that Applicant has read this Consent Order and understands its contents. Applicant understands that the Applicant has the right to an appearance before the Board in this matter and freely, knowingly and voluntarily waives that right by entering into this Consent Agreement. Applicant understands and agrees that a representative of the Department of Law may be present during the Board's consideration of this Consent Order and that the Board shall have the authority to review the investigative file and all relevant evidence in considering this Consent Agreement. Applicant further understands that this Consent Agreement will not become effective until approved and docketed by the Composite State Board of Medical Examiners. Applicant understands that this Consent Agreement, once approved and docketed, shall constitute a public record, evidencing disciplinary action by the Board. However, if this

Consent Agreement 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. Applicant hereby consents to the terms and sanctions contained herein.

Approved, this 30<sup>th</sup> day of June 2006.

COMPOSITE STATE BOARD OF  
MEDICAL EXAMINERS

(BOARD SEAL)

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

ATTEST: *Lahsarn Hughes*  
LAHSARN HUGHES  
Executive Director

CONSENTED TO:

*Sarah E. Boswell*  
SARAH E. BOSWELL  
Applicant

AS TO SIGNATURE OF SARAH E.  
BOSWELL

Sworn to and Subscribed  
before me this 15<sup>th</sup> day  
of June, 2006.

*Leann Sue*  
NOTARY PUBLIC

My Commission Expires:

Notary Public, Newton County, Georgia  
My Commission Expires September 7, 2008