

**NORTH CAROLINA MEDICAL BOARD  
VOLUNTARY SURRENDER FORM**

Name: James Franklin James, MD  
Address: 600-B Country Club Dr.  
Greenville, NC 27858  
Phone #: (252) 531-0822

License #: 15359  
Date of Birth: 9/2/1937

I hereby surrender my license to practice medicine issued by the Board effective upon receipt of this document by the Board or its agent.

I understand that I may not give medical advice or treatment to any person, with or without compensation; may not prescribe drugs; and may not otherwise engage in the practice of medicine within the meaning of N.C. Gen. Stat. §90-18. Once tendered, this decision to surrender my license may not be withdrawn. I understand that the surrender of my license does not preclude the Board from bringing charges against me at a later date.

I understand that I have obligations to patients that continue beyond the surrender of my license including, but not limited to, winding up my practice in an orderly fashion, assisting patients in ensuring continuity of their care, and preserving patient records and access thereto.

I understand that this document is a public document within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it may be reported to persons, entities, agencies, and clearinghouses as required by and permitted by law including, but not limited to, the Federation of State Medical Boards, the National Practitioner's Data Bank, and the Healthcare Integrity and Protection Data Bank.

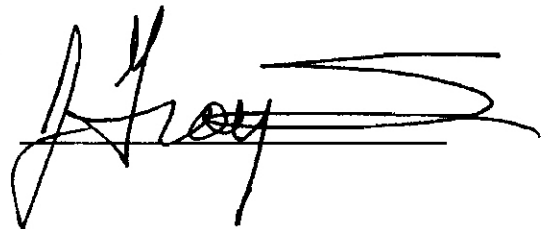
I understand my right to and I have been given the opportunity to consult with an attorney, at my own expense, before tendering this surrender of my license. I have made the decision to surrender my license to practice medicine knowingly, voluntarily, and of my own free will.

I agree to return my license and registration certificates to the Board as promptly as possible. Any failure on my part to do so does not in any way affect the validity of this surrender of my license.

Date: Dec. 8, '08      Dec. 1, 08 <sub>JFT</sub>

Signature: James Franklin James

Witness:





**NORTH CAROLINA  
MEDICAL BOARD**

Janelle A. Rhyne, MD  
President

George L. Saunders, III, MD  
President-Elect

Ralph C Loomis, MD  
Secretary

Donald E. Jablonski, DO  
Treasurer

Pamela L. Blizzard  
Thomas R. Hill, MD  
Janice E. Huff, MD  
Thelma C. Lennon  
John B. Lewis, Jr., LLB  
H. Arthur McCulloch, MD  
Peggy Robinson, PA-C  
William A. Walker, MD

**PERSONAL AND CONFIDENTIAL**

December 1, 2008

Dr. James Franklin James  
600-B Country Club Drive  
Greenville, NC 27858

Re: License Surrender

Dear Dr. James:

This will acknowledge receipt of your Voluntary Surrender Form of December 1, 2008. The surrender of your license to practice medicine (license number 15359) issued by the North Carolina Medical Board becomes a public record according to North Carolina law. You are required to reapply if you wish to reinstate your license.

Should you have questions regarding this matter, please feel free to call.

Sincerely,

R. David Henderson  
Executive Director

RDH:jo

R. David Henderson  
Executive Director  
1203 Front Street  
Raleigh, North Carolina 27609-7533

Mailing:  
P.O. Box 20007  
Raleigh, North Carolina 27619-0007

Telephone: (919) 326-1100  
Fax: (919) 326-1131  
Email: [info@ncmedboard.org](mailto:info@ncmedboard.org)  
Web: [www.ncmedboard.org](http://www.ncmedboard.org)

BEFORE THE  
NORTH CAROLINA MEDICAL BOARD

In re: )  
 )  
James Franklin James, M.D., ) CONSENT ORDER  
 )  
Respondent. )

This matter is before the North Carolina Medical Board ("Board") on information that James Franklin James, M.D. ("Dr. James"), has a substance abuse problem and has engaged in unprofessional conduct with respect to the handling of prescription medications. Dr. James admits, and the Board finds and concludes, that:

Whereas, the Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Article 1 of Chapter 90 of the North Carolina General Statutes and the rules and regulations promulgated thereto; and

Whereas Dr. James is a physician first licensed by the Board on April 15, 1967, license number 15359; and

Whereas Dr. James practiced psychiatry in Greenville, North Carolina at the times relevant herein; and

Whereas, in October 2008, the Board learned that Dr. James had retained controlled substances and other prescription

medications originally prescribed for Dr. James' patients and family members throughout his years of practicing medicine; and

Whereas Dr. James has been diverting controlled substance for his own personal use; and

Whereas, on December 1, 2008, Dr. James voluntarily surrendered his license to practice medicine; and

Whereas Dr. James has entered into a contract with the North Carolina Physicians Health Program; and

Whereas Dr. James' inappropriate and unprofessional use of drugs constitutes Dr. James being unable to practice medicine with reasonable skill and safety to patients within the meaning of N.C. Gen. Stat. § 90-14(a)(5) and grounds exist under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke or limit Dr. James' medical license issued by the Board or to deny any application he might make in the future; and

Whereas Dr. James admits that the Board has evidence based upon which it could find that he engaged in unprofessional conduct and violated the ethics of the medical profession including, and not limited to, inappropriate use of controlled substances and retention of controlled substances prescribed for Dr. James' patients and family members, within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and grounds exist under that

section of the North Carolina General Statutes for the Board to annul, suspend, revoke or limit Dr. James' medical license issued by the Board or to deny any application he might make in the future; and

Whereas Dr. James would like to resolve this matter without the need for more formal proceedings; and

Whereas the Board has determined that it is in the public interest to resolve this case as set forth below;

Now, therefore, with Dr. James' consent, it is ORDERED that:

1. Dr. James' license to practice medicine and surgery in North Carolina is hereby INDEFINITELY SUSPENDED.

2. Dr. James shall obey all laws and he shall obey all regulations related to the practice of medicine.

3. Dr. James shall notify the Board in writing of any change in his residence or practice addresses within ten (10) days of the change.

4. If Dr. James fails to comply with any of the terms of this Consent Order, that failure shall constitute unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and shall be grounds, after any required notice and hearing, for the Board to annul, suspend, revoke, condition, or limit Dr. James'

license to practice medicine or to deny any application he might make in the future or then have pending for a license.

5. This Consent Order shall take effect immediately upon its execution by both Dr. James and the Board, and it shall continue in effect until specifically ordered otherwise by the Board.

6. Upon execution by Dr. James and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be reported to persons, entities, agencies, and clearinghouses as required by and permitted by law including, but not limited to, the Federation of State Medical Boards, the National Practitioner's Data Bank, and the Healthcare Integrity and Protection Data Bank.

7. Dr. James hereby waives any requirement under law or rule that this Consent Order be served upon him.

8. Dr. James shall meet with the Board or members of the Board for an informal interview at such times as requested by the Board.

By Order of the North Carolina Medical Board this the 15<sup>th</sup>  
day of January, 2009.

NORTH CAROLINA MEDICAL BOARD

By: *George L. Saunders III*  
George L. Saunders, III, M.D.  
President

Consented to this the 8<sup>th</sup> day of January, 2009.

James Franklin James, M.D.  
James Franklin James, M.D.

State of North Carolina

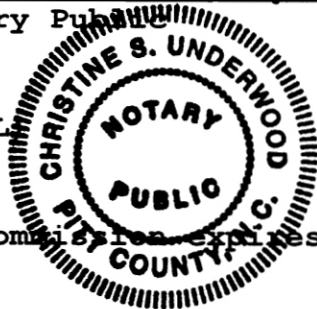
Pitt County

I, Christine S. Underwood, a Notary Public for the above named County and State, do hereby certify that James Franklin James, M.D., personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal  
this the 8<sup>th</sup> day of January, 2009.

Christine S. Underwood  
Notary Public

(SEAL



My Commission Expires: 12/5/2010

NBMAIN\806780\1



BEFORE THE  
NORTH CAROLINA MEDICAL BOARD

In re: )  
 )  
James Franklin James, M.D., )            CONSENT ORDER  
 )  
Respondent. )

This matter is before the North Carolina Medical Board ("Board") on information that James Franklin James, M.D. ("Dr. James"), has engaged in unprofessional conduct with respect to the handling of prescription medications and has not fully complied with his North Carolina Physicians Health Program ("NCPHP") contractual obligations. Dr. James admits, and the Board finds and concludes, that:

Whereas, the Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Article 1 of Chapter 90 of the North Carolina General Statutes and the rules and regulations promulgated thereto; and

Whereas, Dr. James is a physician first licensed by the Board on April 15, 1967, license number 15359; and

Whereas, Dr. James practiced psychiatry in Greenville, North Carolina at all times relevant herein; and

Whereas, in October 2008, the Board learned that Dr. James had retained and personally used benzodiazepines and sleep medications originally prescribed for Dr. James' patients and family members throughout his years of practicing medicine; and

Whereas, on December 1, 2008, Dr. James voluntarily surrendered his license to practice medicine; and

Whereas, Dr. James thereafter entered into a contract with NCPHP and received treatment for his diagnosed combat related post traumatic stress disorder; and

Whereas, Dr. James was issued a temporary North Carolina license to practice medicine on January 22, 2010; and

Whereas, Dr. James violated his contract with NCPHP by failing to comply with telephone call-in requirements; and

Whereas, Dr. James' prior inappropriate and unprofessional use of prescription medications constituted Dr. James being unable to practice medicine with reasonable skill and safety within the meaning of N.C. Gen. Stat. § 90-14(a)(5) and grounds exist under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke or limit Dr. James' medical license issued by the Board or to deny any application he might make in the future; and

Whereas, Dr. James admits that the Board has evidence upon which it could find that he engaged in unprofessional conduct and violated the ethics of the medical profession including, and not limited to, inappropriate use of prescription medications and retention of prescription medications not prescribed for Dr. James, within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and grounds exist under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke or limit Dr. James' medical license issued by the Board or to deny any application he might make in the future; and

Whereas, Dr. James would like to resolve this matter without the need for more formal proceedings; and

Whereas, the Board has determined that it is in the public interest to resolve this case as set forth below.

Now, therefore, with Dr. James' consent, it is ORDERED that:

1. Dr. James' license to practice medicine and surgery in North Carolina is hereby REPRIMANDED.

2. Dr. James will maintain and comply with his NCPHP contract and follow all NCPHP recommendations including, and not limited to, all telephone call-in requirements.

3. Dr. James shall obey all laws and he shall obey all regulations related to the practice of medicine.

4. Dr. James shall notify the Board in writing of any change in his residence or practice addresses within ten (10) days of the change.

5. If Dr. James fails to comply with any of the terms of this Consent Order, that failure shall constitute unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and shall be grounds, after any required notice and hearing, for the Board to annul, suspend, revoke, condition, or limit Dr. James' license to practice medicine or to deny any application he might make in the future or then have pending for a license.

6. This Consent Order shall take effect immediately upon its execution by both Dr. James and the Board, and it shall continue in effect until specifically ordered otherwise by the Board.

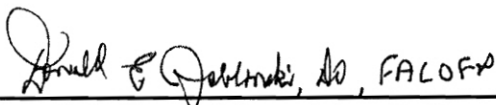
7. Dr. James shall meet with the Board or members of the Board for an informal interview at such times as requested by the Board.

8. Dr. James hereby waives any requirement under law or rule that this Consent Order be served upon him.

9. Upon execution by Dr. James and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be reported to persons, entities, agencies and clearinghouses as required by and permitted by law including, but not limited to, the Federation of State Medical Boards, the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.

By Order of the North Carolina Medical Board this the 11<sup>th</sup> day of June, 2010.

NORTH CAROLINA MEDICAL BOARD

By:   
Donald E. Jablonski, D.O.  
President

Consented to this the 3 day of JUNE, 2010.

James Franklin James, M.D.  
James Franklin James, M.D.

State of North Carolina

County of Pitt

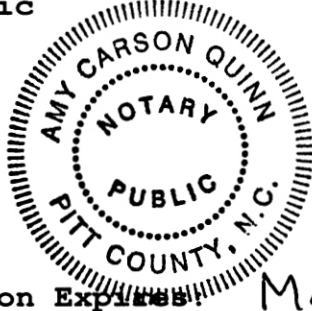
I, Amy Carson Quinn, a Notary Public for the above named County and State, do hereby certify that James Franklin James, M.D., personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal

this the 3<sup>rd</sup> day of June, 2010.

Amy Carson Quinn  
Notary Public

(SEAL)



My Commission Expires May 18, 2012



**NORTH CAROLINA  
MEDICAL BOARD**

Donald E. Jablonski, DO  
President

Janice E. Huff, MD  
President-Elect

William A. Walker, MD  
Secretary/Treasurer

**TEMPORARY MEDICAL LICENSE**

**The North Carolina Medical Board, having reviewed pertinent data,  
hereby authorizes**

**JAMES FRANKLIN JAMES**

**to practice medicine and surgery in the State of North Carolina, under  
the laws of the State and the rules of this Board. (Further public records  
exist at the Board regarding this physician.)**

**License Number: 15359**

**Issue Date: 07/22/2010**

**Expiration Date: 01/31/2011**

*R. David Henderson*

**R. David Henderson, Executive Director  
North Carolina Medical Board**

R. David Henderson  
Executive Director

1203 Front Street  
Raleigh, North Carolina 27609-7533

Mailing:  
P.O. Box 20007  
Raleigh, North Carolina 27619-0007

Telephone: (919) 326-1100  
Fax: (919) 326-1131  
Email: [info@ncmedboard.org](mailto:info@ncmedboard.org)  
Web: [www.ncmedboard.org](http://www.ncmedboard.org)

**SEAL**



**NORTH CAROLINA  
MEDICAL BOARD**

Janice E. Huff, MD  
President

Ralph C. Loomis, MD  
President-Elect

William A. Walker, MD  
Secretary/Treasurer

Pamela L. Blizzard

Paul S. Camnitz, MD

Karen R. Gerancher, MD

Eleanor E. Greene, MD

Thomas R. Hill, MD

Donald E. Jablonski, DO

Thelma C. Lennon

John B. Lewis, Jr. LLB

Peggy R. Robinson, PA-C

**TEMPORARY MEDICAL LICENSE**

The North Carolina Medical Board, having reviewed pertinent data,  
hereby authorizes

**JAMES FRANKLIN JAMES**

to practice medicine and surgery in the State of North Carolina, under  
the laws of the State and the rules of this Board. (Further public records  
exist at the Board regarding this physician.)

License Number: 15359

Issue Date: January 20, 2011

Expiration Date: May 31, 2011

*R. David Henderson*

**R. David Henderson, Executive Director  
North Carolina Medical Board**

R. David Henderson  
Executive Director

1203 Front Street  
Raleigh, North Carolina 27609-7533

Mailing:  
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**SEAL**





**NORTH CAROLINA  
MEDICAL BOARD**

Janice E. Huff, MD  
President

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Thelma C. Lennon  
John B. Lewis, Jr. LLB  
Peggy R. Robinson, PA-C

**TEMPORARY MEDICAL LICENSE**

**The North Carolina Medical Board, having reviewed pertinent data,  
hereby authorizes**

**JAMES FRANKLIN JAMES**

**to practice medicine and surgery in the State of North Carolina, under  
the laws of the State and the rules of this Board. (Further public records  
exist at the Board regarding this physician.)**

**License Number: 15359**

**Issue Date: May 19, 2011**

**Expiration Date: November 30, 2011**

*R. David Henderson*

**R. David Henderson, Executive Director  
North Carolina Medical Board**

R. David Henderson  
Executive Director

1203 Front Street  
Raleigh, North Carolina 27609-7533

Mailing:  
P.O. Box 20007  
Raleigh, North Carolina 27619-0007

Telephone: (919) 326-1100  
Fax: (919) 326-1131  
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**SEAL**



**NORTH CAROLINA  
MEDICAL BOARD**

Janice E. Huff, MD  
President

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R. David Henderson  
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1203 Front Street  
Raleigh, North Carolina 27609-7533

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Web: [www.ncmedboard.org](http://www.ncmedboard.org)

**PERSONAL AND CONFIDENTIAL**

July 19, 2011

Dr. James Franklin James  
Dixon Social Interactive Services  
313 Clifton St  
Greenville, NC 27858

Re: License Surrender

Dear Dr. James:

This will acknowledge receipt of your Voluntary Surrender Form of July 19, 2011. The surrender of your license to practice medicine (license number 15359) issued by the North Carolina Medical Board becomes a public record according to North Carolina law. You are required to reapply if you wish to reinstate your license.

Should you have questions regarding this matter, please feel free to call.

Sincerely,

R. David Henderson  
Executive Director

RDH:jo

cc: J. Troy Smith, Jr., Attorney

**NORTH CAROLINA MEDICAL BOARD  
VOLUNTARY SURRENDER FORM**

Name: J. Franklin James, M.D. License #: 15359  
Practice Address: Dixon Social Interactive Services, Inc.  
313 Clifton Street  
Greenville, N.C. 27858

I hereby surrender my license to practice medicine issued by the Board effective upon receipt of this document by the Board or its agent.

I understand that I may not give medical advice or treatment to any person, with or without compensation; may not prescribe drugs; and may not otherwise engage in the practice of medicine within the meaning of N.C. Gen. Stat. §90-1.1. Once tendered, this decision to surrender my license may not be withdrawn. I understand that the surrender of my license does not preclude the Board from bringing charges against me at a later date.

I understand that I have obligations to patients that continue beyond the surrender of my license including, but not limited to, winding up my practice in an orderly fashion, assisting patients in ensuring continuity of their care, and preserving patient records and access thereto.

I understand that this document is a public document within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it may be reported to persons, entities, agencies, and clearinghouses as required by and permitted by law including, but not limited to, the Federation of State Medical Boards, the National Practitioner's Data Bank, and the Healthcare Integrity and Protection Data Bank.

I understand my right to and I have been given the opportunity to consult with an attorney, at my own expense, before tendering this surrender of my license. I have made the decision to surrender my license to practice medicine knowingly, voluntarily, and of my own free will.

Date: 7/19/11

Signature: J. Franklin James

Witness: [Handwritten Signature]

BEFORE THE  
NORTH CAROLINA MEDICAL BOARD

In re: )  
 )  
James Franklin James, M.D., )            CONSENT ORDER  
 )  
Respondent. )

This matter is before the North Carolina Medical Board ("Board") on information concerning James Franklin James, M.D. ("Dr. James"). Dr. James admits and the Board finds and concludes that:

Whereas, the Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Article 1 of Chapter 90 of the North Carolina General Statutes and the rules and regulations promulgated thereto; and

Whereas, Dr. James is a physician first licensed by the Board on or about April 15, 1967, license number 15359; and

Whereas, at all relevant times Dr. James practiced psychiatry in the Greenville, North Carolina area; and

Whereas, in October 2008, the Board learned that Dr. James had retained and used controlled substances and other prescription medications originally prescribed for Dr. James' patients throughout his years of practicing medicine; and

Whereas, on or about November 2008, Dr. James entered into a contract with the North Carolina Physicians Health Program ("NCPHP") for issues related to post traumatic stress disorder ("PTSD") and controlled substance use; and

Whereas, on December 1, 2008, Dr. James voluntarily surrendered his North Carolina license to practice medicine; and

Whereas, Dr. James thereafter entered into a consent order with the Board on January 15, 2009, that indefinitely suspended his North Carolina medical license; and

Whereas, on February 16, 2009, Dr. James voluntarily surrendered his Drug Enforcement Administration ("DEA") registration number; and

Whereas, Dr. James thereafter received treatment for his issues related to PTSD and controlled substance use; and

Whereas, Dr. James was issued a temporary North Carolina license to practice medicine on January 22, 2010; and

Whereas, on June 11, 2010, Dr. James and the Board entered into a Consent Order that reprimanded Dr. James for violating his contract with NCPHP by failing to comply with drug testing requirements; and

Whereas, the June 11, 2010, Consent Order also required Dr. James to comply with his NCPHP contract; and

Whereas, on or about May 20, 2011, the Board was notified by the DEA that Dr. James has been writing prescriptions for controlled substances from on or about February 2010 to May 2011 without a valid DEA registration number and using preprinted prescription pads with his retired DEA number; and

Whereas, Dr. James violated his NCPHP contract and the June 11, 2010, Consent Order by not following NCPHP's drug testing requirements from on or about July 2010 to June 2011; and

Whereas, Dr. James violated his NCPHP contract and the June 11, 2010, Consent Order by not notifying NCPHP of all of his places of employment from on or about April 2011 to May 2011; and

Whereas, on July 19, 2011, Dr. James voluntarily surrendered his North Carolina license to practice medicine; and

Whereas, Dr. James' conduct, as described herein, constitutes unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6), and grounds exist under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke or limit his license to practice medicine and surgery issued by the Board or deny any application he might make in the future; and

Whereas, Dr. James acknowledges and agrees that the Board has jurisdiction over him and over the subject matter of this case; and

Whereas, Dr. James knowingly waives his right to any hearing and to any judicial review or appeal in this case; and

Whereas, Dr. James acknowledges that he has read and understands this Consent Order and enters into it voluntarily; and

Whereas, Dr. James would like to resolve this matter without the need for more formal proceedings; and

Whereas, the Board has determined that it is in the public interest to resolve this case as set forth below.

NOW, THEREFORE, with Dr. James's consent, it is ORDERED that:

1. Dr. James' license to practice as a physician in North Carolina is hereby SUSPENDED INDEFINITELY effective the date of this ORDER as set forth below.

2. Dr. James shall obey all laws. Likewise, he shall obey all rules and regulations involving the practice of medicine.

3. Dr. James shall notify the Board in writing of any change in his addresses within ten (10) days of the change.

4. Dr. James shall meet with the Board or members of the Board for an interview at such times as requested by the Board.

5. If Dr. James fails to comply with any of the terms of this Consent Order, that failure shall constitute unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and shall be grounds, after any required notice and hearing, for the Board to annul, suspend, revoke, condition or limit Dr. James' license to practice medicine or to deny any application he might make in the future or then have pending for a license.

6. This Consent Order shall take effect immediately upon its execution by both Dr. James and the Board and it shall continue in effect until specifically ordered otherwise by the Board.

7. Dr. James hereby waives any requirement under any law or rule that this Consent Order be served on him.

8. Upon execution by Dr. James and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be reported to persons, entities, agencies and clearinghouses as required and permitted by law including, but not limited to, the National



Practitioners Data Bank and the Health Integrity and Protection  
Data Bank.

By Order of the North Carolina Medical Board this the 21st  
day of September, 2011.

NORTH CAROLINA MEDICAL BOARD

By: Janice E. Huff, MD  
Janice E. Huff, M.D.  
President

Consented to this the 14 day of September, 2011.

James Franklin James  
James Franklin James, M.D.

State of North Carolina

County of Pitt

I, Sheri Jamis Modlin, a Notary Public for the above named County and State, do hereby certify that James Franklin James, M.D. personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal

this the 14 day of September, 2011.

Sheri Jamis Modlin  
Notary Public

(SEAL)

My Commission expires: 4/28/12

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**BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**J. FRANK JAMES, M.D. (AKA JAMES FRANKLIN  
JAMES, M.D.)**

**PHYSICIAN'S AND SURGEON'S CERTIFICATE NO. C27034**

**RESPONDENT.**

Case No. 16-2011-218855

**DEFAULT DECISION  
AND ORDER**

[Gov. Code, §11520]

On January 23, 2012, an employee of the Medical Board of California ("Board") sent by certified mail a copy of Accusation No. 16-2011-218855, Statement to Respondent, Notice of Defense in blank, copies of the relevant sections of the California Administrative Procedure Act as required by sections 11503 and 11505 of the Government Code, and a request for discovery, to J. Frank James, M.D. ("Respondent") at his address of record with the Board, Department of Psychiatry, ECH SOM, Greenville, NC 27837. The package was returned to the Board marked "Return to Sender, Not Here." Further investigation revealed P.O. Box 30380, Greenville, NC 27833-0380 as a current address, and the Accusation package was served at that address on March 23, 2012. The certified mail receipt was signed by Respondent and returned. (Accusation package, proofs of service and return notifications, Exhibit Package, Exhibit 1<sup>1</sup>.)

There was no response to the Accusation. On March 20, 2012, an employee of the Attorney General's Office sent by certified and regular mail addressed to Respondent at his address of record a courtesy Notice of Default, advising Respondent of the service Accusation, and providing him with an opportunity to request relief from default; on April 19, 2012 the

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<sup>1</sup> The evidence in support of this Default Decision and Order is submitted herewith as the "Exhibit Package."

1 Courtesy Notice of Default was served on Respondent at the alternate address set forth above.  
2 The green certified mail receipt for the package sent to P.O. Box 30380, Greenville, NC 2733—  
3 380 was signed by Respondent and returned. (Exhibit Package, Exhibit 2, Notice of Default,  
4 proofs of service, return receipt)  
5

6 Respondent has not responded to service of the Accusation or the Notice of  
7 Default. He has not filed a Notice of Defense. As a result, Respondent has waived his right to a  
8 hearing on the merits to contest the allegations contained in the Accusation.

9 **FINDINGS OF FACT**

10 I.

11 Linda K. Whitney is the Executive Director of the Board. The charges and  
12 allegations in the Accusation were at all times brought and made solely in the official capacity of  
13 the Board's Executive Director.

14 II.

15 On April 23, 1965, Physician's and Surgeon's Certificate No. C27034 was issued  
16 by the Board to J. Frank James, M.D.<sup>2</sup> The certificate expired on September 30, 2007, and is  
17 SUSPENDED based on an order issued on December 19, 2011 pursuant to Business and  
18 Professions Code section 2310(a). (Exhibit Package, Exhibit 3, license certification.)

19 III.

20 On January 23, 2012, Respondent was served with an Accusation, alleging causes  
21 for discipline against Respondent. The Accusation and accompanying documents were duly  
22 served on Respondent. A courtesy Notice of Default was thereafter served on Respondent.  
23 Respondent failed to file a Notice of Defense.

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26 ///

27 \_\_\_\_\_  
28 <sup>2</sup> Respondent is also known as James Franklin James, M.D.

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IV.

The allegations of the Accusation are true as follows:

Between 2008 and September, 2011, Respondent was the subject of a series of disciplinary actions issued by the North Carolina Medical Board. The basis for the disciplinary actions was that over a period of years, Respondent, a psychiatrist, diverted and self-used controlled substances and other prescription medications that he had prescribed for patients and family members. Respondent entered into a contract with the North Carolina Physicians Health Program (NCPHP) for issues related to post traumatic stress disorder and substance abuse. On February 16, 2009, Respondent surrendered his Drug Enforcement Administration (DEA) registration number. On September 21, 2011, the North Carolina Medical Board issued a Consent Order which included factual findings that between February 2010-May 2011, Respondent wrote prescriptions for controlled substances without a valid DEA registration number and using preprinted prescription pads with his retired DEA number; Respondent violated his NCPHP contract and a previous consent order by failing to follow NCPHP's drug testing requirements from July 2010-June 2011; Respondent violated his NCPHP contract and a prior consent order by not notifying NCPHP of all of his places of employment. Based on these findings, Respondent's North Carolina license was indefinitely suspended. A copy of the September 21, 2011 Consent Order issued by the North Carolina Medical Board is attached to the Accusation, Exhibit Package, Exhibit 1.)

**DETERMINATION OF ISSUES**

Pursuant to the foregoing Findings of Fact, Respondent's conduct and the action of the North Carolina Medical Board constitute cause for discipline within the meaning of Business and Professions Code sections 2305 and 141(a).

**DISCIPLINARY ORDER**

Physician's and Surgeon's certificate No. C27034 issued to J. Frank James, M.D. is hereby **REVOKED**.


///

1 Respondent shall not be deprived of making a request for relief from default as set  
2 forth in Government Code section 11520(c) for good cause shown. However, such showing must  
3 be made in writing by way of a motion to vacate the default decision and directed to the Medical  
4 Board of California at 2005 Evergreen Street, Suite 1200, Sacramento, CA 95815 within seven  
5 (7) days of the service of this Decision.

6 This Decision will become effective August 10, 2012

7 It is so ordered on July 13, 2012.

8  
9 MEDICAL BOARD OF CALIFORNIA  
10 DEPARTMENT OF CONSUMER AFFAIRS  
11 STATE OF CALIFORNIA

12 By   
13 Linda K. Whitney, Executive Director

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**BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against,

**J. FRANK JAMES, M.D.**

PHYSICIAN'S AND SURGEON'S CERTIFICATE NO. C27034

**RESPONDENT.**

Case No. 16-2011-218855

**EXHIBITS IN SUPPORT OF  
DEFAULT DECISION  
AND ORDER**

[Gov. Code, §11520]

- EXHIBIT 1 Accusation, Proof of Service, Return Notifications
- EXHIBIT 2 Courtesy Notice of Default; Proof of Service, Return Receipt and Notifications
- EXHIBIT 3 License Certification

# **Exhibit 1**



1 KAMALA D. HARRIS  
Attorney General of California  
2 JOSE R. GUERRERO  
Supervising Deputy Attorney General  
3 JANE ZACK SIMON  
Deputy Attorney General  
4 State Bar No. 116564  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
Telephone: (415) 703-5544  
6 Fax: (415) 703-5480  
E-mail: Janezack.simon@doj.ca.gov  
7 *Attorneys for Complainant*  
*Medical Board of California*  
8

9  
10 **BEFORE THE**  
**MEDICAL BOARD OF CALIFORNIA**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**  
11

12 In the Matter of the Accusation Against:

Case No. 16-2011-218855

13 **J. FRANK JAMES, M.D.**  
**(aka James Franklin James, M.D.)**  
14 Department of Psychiatry ECH SOM  
Greenville, NC 27837  
15

ACCUSATION

16 Physician's and Surgeon's  
Certificate No. C27034  
17

Respondent.  
18

19 Complainant alleges:

20 1. Complainant Linda K. Whitney is the Executive Director of the Medical Board of  
21 California, Department of Consumer Affairs, and brings this Accusation solely in her official  
22 capacity.  
23

24 2. On April 23, 1965, Physician's and Surgeon's Certificate No. C27034 was issued by  
25 the Medical Board of California to J. Frank James, M.D.<sup>1</sup> ("Respondent.") Said certificate  
26 expired on September 30, 2007 and is SUSPENDED pursuant to an Order issued on December  
27 19, 2011 under Business and Professions Code section 2310(a).

28 <sup>1</sup> Respondent is also known as James Franklin James, M.D.

1 **JURISDICTION**

2 3. This Accusation is brought before the Medical Board of California<sup>2</sup>, (the "Board")  
3 under the authority of the following sections of the California Business and Professions Code  
4 ("Code") and/or other relevant statutory enactment:  
5

6 A. Section 2227 of the Code provides in part that the Board may  
7 revoke, suspend for a period not to exceed one year, or place on probation, the license of  
8 any licensee who has been found guilty under the Medical Practice Act, and may recover  
9 the costs of probation monitoring.

10 B. Section 2305 of the Code provides, in part, that the revocation,  
11 suspension, or other discipline, restriction or limitation imposed by another state upon a  
12 license to practice medicine issued by that state, that would have been grounds for  
13 discipline in California under the Medical Practice Act, constitutes grounds for discipline  
14 for unprofessional conduct.

15 C. Section 141 of the Code provides:

16  
17 "(a) For any licensee holding a license issued by a board under  
18 the jurisdiction of a department, a disciplinary action taken by another state, by  
19 any agency of the federal government, or by another country for any act  
20 substantially related to the practice regulated by the California license, may be  
21 ground for disciplinary action by the respective state licensing board. A certified  
22 copy of the record of the disciplinary action taken against the licensee by another  
23 state, an agency of the federal government, or by another country shall be  
24 conclusive evidence of the events related therein.

25  
26 "(b) Nothing in this section shall preclude a board from applying  
27 a specific statutory provision in the licensing act administered by the board that  
28 provides for discipline based upon a disciplinary action taken against the licensee  
by another state, an agency of the federal government, or another country."

24 ///

25 ///

26  
27 <sup>2</sup>. The terms "Board" and "Division" or "Division of Medical Quality" mean the  
28 Medical Board of California.

1 **FIRST CAUSE FOR DISCIPLINE**

2 (Discipline, Restriction, or Limitation Imposed by Another State)

3 4. Between 2008 and September, 2011, Respondent was the subject of  
4 a series of disciplinary actions issued by the North Carolina Medical Board. The basis for the  
5 disciplinary actions was that over a period of years, Respondent, a psychiatrist, diverted and self-  
6 used controlled substances and other prescription medications that he had prescribed for patients  
7 and family members. Respondent entered into a contract with the North Carolina Physicians  
8 Health Program (NCPHP) for issues related to post traumatic stress disorder and substance abuse.  
9 On February 16, 2009, Respondent surrendered his Drug Enforcement Administration (DEA)  
10 registration number. On September 21, 2011, the North Carolina Medical Board issued a Consent  
11 Order which included factual findings that between February 2010-May 2011, Respondent wrote  
12 prescriptions for controlled substances without a valid DEA registration number and using  
13 preprinted prescription pads with his retired DEA number; Respondent violated his NCPHP  
14 contract and a previous consent order by failing to follow NCPHP's drug testing requirements  
15 from July 2010-June 2011; Respondent violated his NCPHP contract and a prior consent order by  
16 not notifying NCPHP of all of his places of employment. Based on these findings, Respondent's  
17 North Carolina license was indefinitely suspended. A copy of the September 21, 2011 Consent  
18 Order issued by the North Carolina Medical Board is attached as Exhibit A.

19 5. Respondent's conduct and the action of the North Carolina Medical Board as set  
20 forth in paragraph 4, above, constitute unprofessional conduct within the meaning of section 2305  
21 and conduct subject to discipline within the meaning of section 141(a).

22 **PRAYER**

23 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein  
24 alleged, and that following the hearing, the Board issue a decision:

- 25 1. Revoking or suspending Physician's and Surgeon's Certificate Number C-27034  
26 issued to respondent J. Frank James, M.D.;
- 27 2. Revoking, suspending or denying approval of Respondent's authority to supervise  
28

1 physician assistants;

2 3. Ordering Respondent, if placed on probation, to pay the costs probation  
3 monitoring; and

4 4. Taking such other and further action as the Board deems necessary and proper.  
5

6 DATED: January 23, 2012.

7   
8 **LINDA K. WHITNEY**  
9 Executive Director  
10 Medical Board of California  
11 Department of Consumer Affairs  
12 State of California

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**Exhibit A**

BEFORE THE  
NORTH CAROLINA MEDICAL BOARD

In re: )  
 )  
James Franklin James, M.D., ) CONSENT ORDER  
 )  
Respondent. )

This matter is before the North Carolina Medical Board ("Board") on information concerning James Franklin James, M.D. ("Dr. James"). Dr. James admits and the Board finds and concludes that:

Whereas, the Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Article 1 of Chapter 90 of the North Carolina General Statutes and the rules and regulations promulgated thereto; and

Whereas, Dr. James is a physician first licensed by the Board on or about April 15, 1967, license number 15359; and

Whereas, at all relevant times Dr. James practiced psychiatry in the Greenville, North Carolina area; and

Whereas, in October 2008, the Board learned that Dr. James had retained and used controlled substances and other prescription medications originally prescribed for Dr. James' patients throughout his years of practicing medicine; and

Whereas, on or about November 2008, Dr. James entered into a contract with the North Carolina Physicians Health Program ("NCPHP") for issues related to post traumatic stress disorder ("PTSD") and controlled substance use; and

Whereas, on December 1, 2008, Dr. James voluntarily surrendered his North Carolina license to practice medicine; and

Whereas, Dr. James thereafter entered into a consent order with the Board on January 15, 2009, that indefinitely suspended his North Carolina medical license; and

Whereas, on February 16, 2009, Dr. James voluntarily surrendered his Drug Enforcement Administration ("DEA") registration number; and

Whereas, Dr. James thereafter received treatment for his issues related to PTSD and controlled substance use; and

Whereas, Dr. James was issued a temporary North Carolina license to practice medicine on January 22, 2010; and

Whereas, on June 11, 2010, Dr. James and the Board entered into a Consent Order that reprimanded Dr. James for violating his contract with NCPHP by failing to comply with drug testing requirements; and

Whereas, the June 11, 2010, Consent Order also required Dr. James to comply with his NCPHP contract; and

Whereas, on or about May 20, 2011, the Board was notified by the DEA that Dr. James has been writing prescriptions for controlled substances from on or about February 2010 to May 2011 without a valid DEA registration number and using preprinted prescription pads with his retired DEA number; and

Whereas, Dr. James violated his NCPHP contract and the June 11, 2010, Consent Order by not following NCPHP's drug testing requirements from on or about July 2010 to June 2011; and

Whereas, Dr. James violated his NCPHP contract and the June 11, 2010, Consent Order by not notifying NCPHP of all of his places of employment from on or about April 2011 to May 2011; and

Whereas, on July 19, 2011, Dr. James voluntarily surrendered his North Carolina license to practice medicine; and

Whereas, Dr. James' conduct, as described herein, constitutes unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6), and grounds exist under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke or limit his license to practice medicine and surgery issued by the Board or deny any application he might make in the future; and



Whereas, Dr. James acknowledges and agrees that the Board has jurisdiction over him and over the subject matter of this case; and

Whereas, Dr. James knowingly waives his right to any hearing and to any judicial review or appeal in this case; and

Whereas, Dr. James acknowledges that he has read and understands this Consent Order and enters into it voluntarily; and

Whereas, Dr. James would like to resolve this matter without the need for more formal proceedings; and

Whereas, the Board has determined that it is in the public interest to resolve this case as set forth below.

NOW, THEREFORE, with Dr. James's consent, it is ORDERED that:

1. Dr. James' license to practice as a physician in North Carolina is hereby SUSPENDED INDEFINITELY effective the date of this ORDER as set forth below.

2. Dr. James shall obey all laws. Likewise, he shall obey all rules and regulations involving the practice of medicine.

3. Dr. James shall notify the Board in writing of any change in his addresses within ten (10) days of the change.

4. Dr. James shall meet with the Board or members of the Board for an interview at such times as requested by the Board.

5. If Dr. James fails to comply with any of the terms of this Consent Order, that failure shall constitute unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and shall be grounds, after any required notice and hearing, for the Board to annul, suspend, revoke, condition or limit Dr. James' license to practice medicine or to deny any application he might make in the future or then have pending for a license.

6. This Consent Order shall take effect immediately upon its execution by both Dr. James and the Board and it shall continue in effect until specifically ordered otherwise by the Board.

7. Dr. James hereby waives any requirement under any law or rule that this Consent Order be served on him.

8. Upon execution by Dr. James and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be reported to persons, entities, agencies and clearinghouses as required and permitted by law including, but not limited to, the National

Practitioners Data Bank and the Health Integrity and Protection  
Data Bank.

By Order of the North Carolina Medical Board this the 21st  
day of September, 2011.

NORTH CAROLINA MEDICAL BOARD

By: Janice E. Huff, MD  
Janice E. Huff, M.D.  
President

Consented to this the 14 day of September, 2011.

James Franklin James  
James Franklin James, M.D.

State of North Carolina

County of Pitt

I, Sheri Tamis Madlin, a Notary Public for the above named County and State, do hereby certify that James Franklin James, M.D. personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal

this the 14 day of September, 2011.

Sheri Tamis Madlin  
Notary Public

(SEAL)

My Commission expires: 4/28/12

**BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation )  
Against: )  
 )  
**J. Frank James, M.D.** )  
 )  
Physician's and Surgeon's )  
Certificate No. C 27034 )  
 )  
Respondent. )  
\_\_\_\_\_ )

File No. 16-2011-218855

**STATEMENT TO RESPONDENT**

RESPONDENT ABOVE - NAMED:

There is attached hereto a copy of an Accusation which has been filed with the office of the State agency named herein and which is hereby served upon you.

Unless a written request for a hearing signed by you or on your behalf is delivered or mailed to the agency named herein within fifteen (15) days after a copy of the Accusation was personally served on you or mailed to you, you will be deemed to have waived your right to a hearing in this matter and the agency may proceed upon the Accusation without a hearing and may take action thereon as provided by law.

The request for a hearing may be made by delivering or mailing one of the enclosed forms entitled "Notice of Defense" or by delivering or mailing a Notice of Defense as provided in Section 11506 of the Government Code to both the Deputy Attorney General and the Medical Board of California. The Deputy Attorney General's name, address and telephone number appears on the front page of the Accusation. The notice to the Medical Board should be directed to the Discipline Coordination Unit, 2005 Evergreen Street, Suite 1200, Sacramento, CA 95815-3831.

The hearing may be postponed for a good cause. If you have good cause, you are obliged to notify the agency or, if an administrative law judge has been assigned to the hearing, the Office of Administrative Hearings, within 10 working days after you discover the good cause. Failure to notify the agency within 10 days will deprive you of a postponement.

You may, but need not, be represented by counsel at any or all stages of these proceedings. The enclosed Notice of Defense, if signed and filed with the above - designated agency shall be deemed a specific denial of all parts of the Accusation, but you will not be permitted to raise any objection to the form of the Accusation unless you file a further Notice of Defense as provided in Section 11506 of the Government Code within fifteen (15) Days after service of the Accusation upon you.

If you file any Notice of Defense within the time permitted, a hearing will be held upon the charges made in the Accusation.

Copies of Section 11507.5, 11507.6, 11507.7 and 11455.10 of the Government Code are attached.

If you desire the names and addresses of witnesses or an opportunity to inspect and copy the items mentioned in Section 11507.7 of the Government Code in the possession, custody or control of the agency, you may contact the Deputy Attorney General, whose name, address, and telephone number appear on the first page of the Accusation.

### STIPULATED SETTLEMENTS

Very often, administrative cases are settled by the parties through discussions and negotiations. Our procedures do not include a formal settlement conference, which is a common procedure in civil court cases. However, all parties in this case should get together at the earliest time to discuss any possible stipulations or settlement that can be mutually agreed upon.

All stipulated settlements of cases are subject to the approval of the Medical Board of California. The Board has published the Manual of Model Disciplinary Orders and Disciplinary Guidelines, 10<sup>th</sup> Edition 2008 (enclosed), setting forth its model disciplinary orders and model disciplinary guidelines. By looking up your relevant code violations on page 25 of the booklet, you can learn the penalty ranges and conditions that may be acceptable to the Board.

1 KAMALA D. HARRIS  
Attorney General of California  
2 JOSE R. GUERRERO  
Supervising Deputy Attorney General  
3 JANE ZACK SIMON  
Deputy Attorney General  
4 State Bar No. 116564  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
Telephone: (415) 703-5544  
6 Fax: (415) 703-5480  
E-mail: Janezack.simon@doj.ca.gov  
7 *Attorneys for Complainant*  
*Medical Board of California*  
8

9  
10 **BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

11  
12 In the Matter of the Accusation Against:  
13 **J. FRANK JAMES, M.D.**  
**(aka James Franklin James, M.D.)**  
14 Department of Psychiatry ECH SOM  
Greenville, NC 27837  
15  
16 Physician's and Surgeon's  
Certificate No. C27034  
17  
18 Respondent.

**Case No. 16-2011-218855**  
**REQUEST FOR DISCOVERY**  
[Gov. Code § 11507.6]

19  
20 TO RESPONDENT:

21 Under section 11507.6 of the Government Code of the State of California, parties  
22 to an administrative hearing, including the Complainant, are entitled to certain information  
23 concerning the opposing party's case. A copy of the provisions of section 11507.6 of the  
24 Government Code concerning such rights is included among the papers served.

25 PURSUANT TO SECTION 11507.6 OF THE GOVERNMENT CODE, YOU  
26 ARE HEREBY REQUESTED TO:

- 27 1. Provide the names and addresses of witnesses to the extent known to the  
28 Respondent, including, but not limited to, those intended to be called to testify at the hearing, and

1 provide an opportunity for the Complainant to inspect and make a copy of any of the following in  
2 the possession or custody or under control of the Respondent:

3 a. A statement of a person, other than the Respondent, named in the initial  
4 administrative pleading, or in any additional pleading, when it is claimed that the act or  
5 omission of the Respondent as to this person is the basis for the administrative  
6 proceeding;

7 b. A statement pertaining to the subject matter of the proceeding made by any  
8 party to another party or persons;

9 c. Statements of witnesses then proposed to be called by the Respondent and  
10 of other persons having personal knowledge of the acts, omissions or events which are the  
11 basis for the proceeding, not included in (a) or (b) above;

12 d. All writings, including but not limited to reports of mental, physical and  
13 blood examinations and things which the Respondent now proposes to offer in evidence;

14 e. Any other writing or thing which is relevant and which would be  
15 admissible in evidence, including but not limited to, any patient or hospital records  
16 pertaining to the persons named in the pleading;

17 f. Investigative reports made by or on behalf of the Respondent pertaining to  
18 the subject matter of the proceeding, to the extent that these reports (1) contain the names  
19 and addresses of witnesses or of persons having personal knowledge of the acts, omissions  
20 or events which are the basis for the proceeding, or (2) reflect matters perceived by the  
21 investigator in the course of his or her investigation, or (3) contain or include by  
22 attachment any statement or writing described in (a) to (e), inclusive, or summary thereof.

23 For the purpose of this Request for Discovery, "statements" include written  
24 statements by the person, signed, or otherwise authenticated by him or her, stenographic,  
25 mechanical, electrical or other recordings, or transcripts thereof, of oral statements by the person,  
26 and written reports or summaries of these oral statements.

27 YOU ARE HEREBY FURTHER NOTIFIED that nothing in this Request for  
28 Discovery should be deemed to authorize the inspection or copying of any writing or thing which  
is privileged from disclosure by law or otherwise made confidential or protected as attorney's



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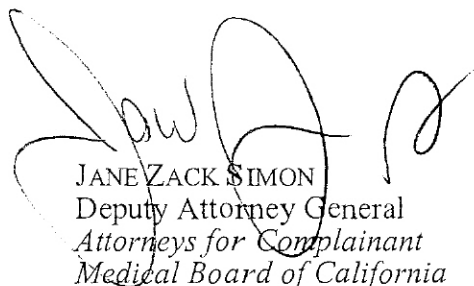
work product.

Your response to this Request for Discovery should be directed to the undersigned attorney for the Complainant at the address on the first page of this Request **within 30 days after service of the Accusation.**

Failure without substantial justification to comply with this Request for Discovery may subject the Respondent to sanctions pursuant to sections 11507.7 and 11455.10 to 11455.30 of the Government Code.

Dated: January 5, 2012

Respectfully Submitted,  
KAMALA D. HARRIS  
Attorney General of California  
JOSE R. GUERRERO  
Supervising Deputy Attorney General



JANE ZACK SIMON  
Deputy Attorney General  
*Attorneys for Complainant  
Medical Board of California*

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## Copy of Government Code Sections 11507.5, 11507.6, 11507.7 and 11455.10

### PROVIDED PURSUANT TO GOVERNMENT CODE SECTIONS 11504 AND 11505

#### **SECTION 11507.5: Discovery Limitations**

The provisions of Section 11507.6 provide the exclusive right to and method of discovery as to any proceeding governed by this chapter.

#### **SECTION 11507.6: Discovery Rights & Procedures**

After initiation of a proceeding in which a respondent or other party is entitled to a hearing on the merits, a party, upon written request made to another party, prior to the hearing and within 30 days after service by the agency of the initial pleading or within 15 days after the service of an additional pleading, is entitled to (1) obtain the names and addresses of witnesses to the extent known to the other party, including, but not limited to, those intended to be called to testify at the hearing, and (2) inspect and make a copy of any of the following in the possession or custody or under the control of the other party:

- (a) A statement of a person, other than the respondent, named in the initial administrative pleading, or in any additional pleading, when it is claimed that the act or omission of the respondent as to this person is the basis for the administrative proceeding;
- (b) A statement pertaining to the subject matter of the proceeding made by any party to another party or person;
- (c) Statements of witnesses then proposed to be called by the party and of other persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, not included in (a) or (b) above;
- (d) All writings, including, but not limited to, reports of mental, physical and blood examinations and things which the party then proposes to offer in evidence;
- (e) Any other writing or thing which is relevant and which would be admissible in evidence;
- (f) Investigative reports made by or on behalf of the agency or other party pertaining to the subject matter of the proceeding, to the extent that these reports (1) contain the names and addresses of witnesses or of persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, or (2) reflect matters perceived by the investigator in the course of his or her investigation, or (3) contain or include by attachment any statement or writing described in (a) to (e), inclusive, or summary thereof.

For the purpose of this section, "statements" include written statements by the person signed or otherwise authenticated by him or her, stenographic, mechanical, electrical or other recordings, or transcripts thereof, of oral statements by the person, and written reports or summaries of these oral statements.

Nothing in this section shall authorize the inspection or copying of any writing or thing which is privileged from disclosure by law or otherwise made confidential or protected as the attorney's work product.

(g) In any proceeding under subdivision (i) or (j) of Section 12940, or Section 19572 or 19702, alleging conduct which constitutes sexual harassment, sexual assault, or sexual battery, evidence of specific instances of a complainant's sexual conduct with individuals other than the alleged perpetrator is not discoverable unless it is to be offered at a hearing to attack the credibility of the complainant as provided for under subdivision (j) of Section 11513. This subdivision is intended only to limit the scope of discovery; it is not intended to affect the methods of discovery allowed under this section.

#### **SECTION 11507.7: Petition to compel discovery; Order; Sanctions**

(a) Any party claiming the party's request for discovery pursuant to Section 11507.6 has not been complied with may serve and file with the administrative law judge a motion to compel discovery, naming as respondent the party refusing or failing to comply with Section 11507.6. The motion shall state facts showing the respondent party failed or refused to comply with Section 11507.6, a description of the matters sought to be discovered, the reason or reasons why the matter is discoverable under that section, that a reasonable and good faith attempt to contact the respondent for an informal resolution of the issue has been made, and the ground or grounds of respondent's refusal so far as known to the moving party.

(b) The motion shall be served upon respondent party and filed within 15 days after the respondent party first evidenced failure or refusal to comply with Section 11507.6 or within 30 days after request was made and the party has failed to reply to the request, or within another time provided by stipulation, whichever period is longer.

(c) The hearing on the motion to compel discovery shall be held within 15 days after the motion is made, or a later time that the administrative law judge may on the judge's own motion for good cause determine. The respondent party shall have the right to serve and file a written answer or other response to the motion before or at the time of the hearing.

(d) Where the matter sought to be discovered is under the custody or control of the respondent party and the respondent party asserts that the matter is not a discoverable matter under the provisions of Section 11507.6, or is privileged against disclosure under those provisions, the administrative law judge may order lodged with it matters provided in subdivision (b) of Section 915 of the Evidence Code and examine the matters in accordance with its provisions.

(e) The administrative law judge shall decide the case on the matters examined in camera, the papers filed by the parties, and such oral argument and additional evidence as the administrative law judge may allow.

(f) Unless otherwise stipulated by the parties, the administrative law judge shall no later than 15 days after the hearing make an order denying or granting the motion. The order shall be in writing setting forth the matters the moving party is entitled to discover under Section 11507.6. A copy of the order shall forthwith be served by mail by the administrative law judge upon the parties. Where the order grants the motion in whole or part, the order shall not become effective until 10 days after the date the order is served. Where the order denies relief to the moving party, the order shall be effective on the date it is served.

#### **SECTION 11455.10. Grounds for contempt sanction**

A Person is subject to the contempt sanction for any of the following in an adjudicative proceeding before an agency:

- (a) Disobedience of or resistance to a lawful order;
- (b) Refusal to take the oath or affirmation as a witness or thereafter refusal to be examined;
- (c) Obstruction or interruption of the due course of the proceeding during a hearing or near the place of the hearing by any of the following:
  - (1) Disorderly, contemptuous, or insolent behavior toward the presiding officer while conducting the proceeding;
  - (2) Breach of the peace, boisterous conduct, or violent disturbance;
  - (3) Other unlawful interference with the process or proceedings of the agency.
- (d) Violation of the prohibition of ex parte communications under Article 7 (commencing with Section 11430.10);
- (e) Failure or refusal, without substantial justification, to comply with a deposition order, discovery request, subpoena, or other order of the presiding officer, or moving, without substantial justification, to compel discovery.

\*\*\*\*\*

**BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation	)	
Against:	)	File No. 16-2011-218855
	)	
<b>J. Frank James, M.D.</b>	)	<b>NOTICE OF DEFENSE</b>
	)	
Physician's and Surgeon's	)	
Certificate No. C 27034	)	
	)	
Respondent.	)	(Pursuant to sections 11505 and 11506,
_____	)	Government Code)

I, the undersigned respondent named in the above-entitled proceeding, hereby acknowledge receipt of a copy of the Accusation, Statement to Respondent, Government Code sections 11507.5, 11507.6, 11507.7 and 11455.10, and two copies of a Notice of Defense.

I hereby request a hearing in this proceeding to permit me to present my defense to the charges contained in said Accusation.

DATED: \_\_\_\_\_

Respondent's Name	_____
Respondent's Signature	_____
Respondent's Mailing Address	_____
City, State and Zip Code	_____
Respondent's Telephone Number	_____

**Check off appropriate box**

- I am represented by counsel, whose name, address and telephone number appear below:

Counsel's Name	_____
Counsel's Mailing Address	_____
City, State and Zip Code	_____
Counsel's Telephone Number	_____

- I am not represented by counsel. If and when counsel is retained, immediate notification of the attorney's name, address, and telephone number will be filed with you so that counsel will be on record to receive legal notices, pleading, and other papers.

**BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation	)	
Against:	)	File No. 16-2011-21 8855
	)	
<b>J. Frank James, M.D.</b>	)	<b>NOTICE OF DEFENSE</b>
	)	
Physician's and Surgeon's	)	
Certificate No. C 27034	)	
	)	
Respondent.	)	(Pursuant to sections 11505 and 11506,
_____	)	Government Code)

I, the undersigned respondent named in the above-entitled proceeding, hereby acknowledge receipt of a copy of the Accusation, Statement to Respondent, Government Code sections 11507.5, 11507.6, 11507.7 and 11455.10, and two copies of a Notice of Defense.

I hereby request a hearing in this proceeding to permit me to present my defense to the charges contained in said Accusation.

DATED: \_\_\_\_\_

Respondent's Name \_\_\_\_\_  
Respondent's Signature \_\_\_\_\_  
Respondent's Mailing Address \_\_\_\_\_  
City, State and Zip Code \_\_\_\_\_  
Respondent's Telephone Number \_\_\_\_\_

**Check off appropriate box**

I am represented by counsel, whose name, address and telephone number appear below:

Counsel's Name \_\_\_\_\_  
Counsel's Mailing Address \_\_\_\_\_  
City, State and Zip Code \_\_\_\_\_  
Counsel's Telephone Number \_\_\_\_\_

I am not represented by counsel. If and when counsel is retained, immediate notification of the attorney's name, address, and telephone number will be filed with you so that counsel will be on record to receive legal notices, pleading, and other papers.

**DECLARATION OF SERVICE BY CERTIFIED AND FIRST CLASS MAIL**

In the Matter of the Accusation Against:

**J. Frank James, M.D.**

**FILE NO. 16-2011-218855**

I, the undersigned, declare that I am over 18 years of age and not a party to the within cause; my business address is 2005 Evergreen Street, Suite 1200, Sacramento, California 95815. I served a true copy of the attached:

STATEMENT TO RESPONDENT; ACCUSATION; REQUEST FOR DISCOVERY; GOVERNMENT CODE SECTIONS 11507.5, 11507.6, 11507.7 and 11455.10; NOTICE OF DEFENSE FORM (2 COPIES); A MANUAL OF MODEL DISCIPLINARY ORDERS AND MODEL DISCIPLINARY GUIDELINES

by U.S. certified or first class mail on each of the following, by placing same in an envelope (or envelopes) addressed (respectively) as follows:

**NAME AND ADDRESS**

**CERTIFICATION #**

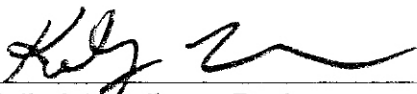
J. Frank James, M.D.  
P.O. Box 30380  
Greenville, NC 27833-0380

7011 0110 0000 2438 4897

Each said envelope was then, on **March 23, 2011**, sealed and deposited in the United States mail at Sacramento, California, the county in which I am employed, either as certified mail or first class U.S. mail with the postage thereon fully prepaid and return receipt requested for the certified mail.

Executed on **March 23, 2011**, at Sacramento, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

  
\_\_\_\_\_  
Kelly Montalbano, Declarant

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

J. Frank James, M.D.  
 P.O. Box 30380  
 Greenville, NC 27833-0380

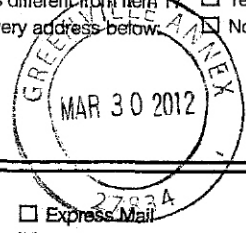
A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below.  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes



2. Article Number  
 (Transfer from service label)

7011 0110 0000 2438 4897

PS Form 3811, February 2004

Domestic Return Receipt

16. 11. 248855

102595-02-M-1540

**U.S.**

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Sent to: J. Frank James, M.D.  
 Street, Apt. No. or P.O. Box No.: P.O. Box 30380  
 City, State, ZIP: Greenville, NC 27833-0380

7011 0110 0000 2438 4897

**DECLARATION OF SERVICE BY CERTIFIED AND FIRST CLASS MAIL**

In the Matter of the Accusation Against:

**J. Frank James, M.D.**

**File No. 16-2011-218855**

I, the undersigned, declare that I am over 18 years of age and not a party to the within cause; my business address is 2005 Evergreen St., Sacramento, California 95815. I served a true copy of the attached :

STATEMENT TO RESPONDENT; ACCUSATION; REQUEST FOR DISCOVERY; GOVERNMENT CODE SECTIONS 11507.5, 11507.6, 11507.7 and 11455.10; NOTICE OF DEFENSE FORM (2 COPIES); A MANUAL OF MODEL DISCIPLINARY ORDERS AND MODEL DISCIPLINARY GUIDELINES

by U.S. Certified mail on each of the following, by placing same in an envelope (or envelopes) addressed (respectively) as follows:

**NAME AND ADDRESS**

**CERTIFICATION #**

J. Frank James, M.D.  
Department of Psychiatry ECH SOM  
Greenville, NC 27837

7010 1060 0002 4830 3784

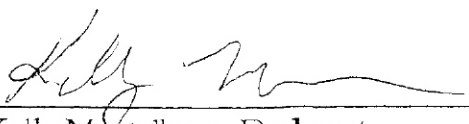
Jane Zack Simon  
Deputy Attorney General  
California Department of Justice  
455 Golden Gate Avenue, Suite 110000  
San Francisco, CA 94102-7004

**FIRST CLASS MAIL**

Each said envelope was then, on January 23, 2012, sealed and deposited in the United States mail at Sacramento, California, the county in which I am employed, either as certified mail or first class U.S. mail with the postage thereon fully prepaid and return receipt requested for the certified mail.

Executed on January 23, 2012, at Sacramento, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

  
\_\_\_\_\_  
Kelly Montalbano, Declarant



ADDITIONAL INFORMATION  
FROM THE MAILING LABEL  
OR FROM THE MAILING LABEL  
OR FROM THE MAILING LABEL

7010 1060 0002 4830 3784

<b>U.S. Postal Service™</b>	
<b>CERTIFIED MAIL™ RECEIPT</b>	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	
Sent To	J. Frank James, M.D.
Street, A or PO Box	Department of Psychiatry ECH SOM
City, State	Greenville, NC 27837

COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
1, 2, and 3. Also complete Certified Delivery is desired. Return address on the reverse will return the card to you. Attach to the back of the mailpiece, if space permits. Attach to:	A. Signature <input checked="" type="checkbox"/> <i>James E. Ward</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
	B. Received by (Printed Name) <i>James E. Ward</i>	C. Date of Delivery <i>2-2-12</i>
	D. Is delivery address different from Item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		

James, M.D.  
 Department of Psychiatry ECH SOM  
 Greenville, NC 27837

7010 1060 0002 4830 3784  
 Domestic Return Receipt 16-11-2108 55 102595-02-M-1640

MEDICAL BOARD OF CALIFORNIA  
 2005 EVERGREEN STREET, SUITE 1200  
 SACRAMENTO, CA 95815-5401



RECEIVED  
 MEDICAL BOARD OF CALIFORNIA  
 2012 FEB -7 AM 2:19  
 DISPATCH UNIT

7010 1060 0002 4830 3784

J. Frank James, M.D.  
 Department of Psychiatry ECH SOM  
 Greenville, NC 27837

**Return to Sender with care**

2012 FEB -5 AM 11:30  
 MEDICAL BOARD OF CALIFORNIA

6303  
 DCU

## **Exhibit 2**

1 KAMALA D. HARRIS  
Attorney General of California  
2 JOSE R. GUERRERO  
Supervising Deputy Attorney General  
3 JANE ZACK SIMON  
Deputy Attorney General  
4 State Bar No. 116564  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
Telephone: (415) 703-5544  
6 Fax: (415) 703-5480  
E-mail: Janezack.simon@doj.ca.gov  
7 *Attorneys for Complainant*  
*Medical Board of California*

8  
9 **BEFORE THE**  
**MEDICAL BOARD OF CALIFORNIA**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

**Case No. 16-2011-218855**

13 **J. FRANK JAMES, M.D.,**

**COURTESY NOTICE OF DEFAULT**

14 Physician's and Surgeon's  
15 Certificate No. C27034

16 Respondent  
17

18 TO J. FRANK JAMES, M.D.

19 PLEASE TAKE NOTICE that service of an Accusation was duly made upon you in the  
20 time and manner provided bylaw and that you have failed to file a Notice of Defense as was  
21 required of you. A copy of the Accusation is attached to this notice. **You must take immediate**  
22 **action and file a Notice of Defense or you will forfeit important rights, including the right to**  
23 **present a defense to the charges against you.** If you fail to take action and file a Notice of  
24 Defense, the Medical Board of California will enter a Default Decision against your license and  
25 your license may be revoked or suspended without any hearing.

26 ///

27 ///

28 ///

1 If you wish to present a defense to the charges set forth in the Accusation, you must  
2 immediately send a completed Notice of Defense to:

3  
4 Jane Zack Simon  
5 Deputy Attorney General  
6 Office of the Attorney General  
7 455 Golden Gate Avenue, Suite 11000  
8 San Francisco, CA 94102

9 You may contact an attorney and be represented by an attorney at your own expense. In  
10 addition, please take notice that you are required to maintain a current and accurate address of  
11 record with the Medical Board of California.

12 DATED: 3/26/12

13 **KAMALA D. HARRIS, Attorney  
14 General of the State of California**

15   
16 **JANE ZACK SIMON**  
17 Deputy Attorney General  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**DECLARATION OF SERVICE BY CERTIFIED MAIL AND FIRST CLASS MAIL**  
(Separate Mailings)

Case Name: In the Matter of the Accusation Against:  
J. FRANK JAMES, M.D. (aka James Franklin James, M.D.)

No.: 16-2011-218855

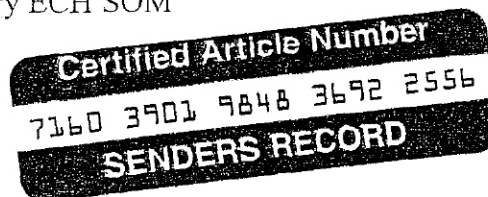
I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

On March 20, 2012, I served the attached **COURTESY NOTICE OF DEFAULT** by placing a true copy thereof enclosed in a sealed envelope as certified mail with return receipt requested, and another true copy of the **COURTESY NOTICE OF DEFAULT** was enclosed in a second sealed envelope as first class mail in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

**J. FRANK JAMES, M.D.**  
(aka James Franklin James, M.D.)  
Department of Psychiatry ECH SOM  
Greenville, NC 27837

Certified Mail No.



I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on March 20, 2012, at San Francisco, California.

Carmen Choy  
Declarant

*Carmen Choy*  
Signature

cc: OAH



**DECLARATION OF SERVICE BY CERTIFIED MAIL AND FIRST CLASS MAIL**  
(Separate Mailings)

Case Name: In the Matter of the Accusation Against: **J. FRANK JAMES, M.D.**

No.: **16-2011-218855**

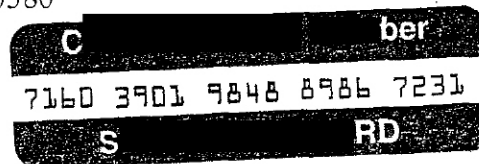
I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

On April 19, 2012, I served the attached **COURTESY NOTICE OF DEFAULT** by placing a true copy thereof enclosed in a sealed envelope as certified mail with return receipt requested, and another true copy of the **COURTESY NOTICE OF DEFAULT** was enclosed in a second sealed envelope as first class mail in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

J. FRANK JAMES, M.D.  
P.O. Box 30380  
Greenville, NC 27833-0380

Certified Mail No.



I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on April 19, 2012, at San Francisco, California.

Carmen Choy  
Declarant

Signature



2. Article Number

7160 3901 9848 8986 7231

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee)  Yes

1. Article Addressed to:

J. FRANK JAMES, M.D.  
P.O. Box 30380  
Greenville, NC 27833-0380

PS Form 3811, January 2005

Domestic Return Receipt

A. [Redacted]

B. Date of Delivery

C. Signature *Jane Zack Simon*

Is delivery address different from item 1?  Agent  
If YES, enter delivery address below:  Addressee  
 Yes  
 No

RECEIVED BY MAIL ROOM  
455 GOLDEN GATE AVENUE  
SAN FRANCISCO, CA 94102

SF2011400588  
Jane Zack Simon

12 APR 2 2012

7160 3901 9848 8986 7231

**TO:**

J. FRANK JAMES, M.D.  
P.O. Box 30380  
Greenville, NC 27833-0380

**SENDER:** Jane Zack Simon

**REFERENCE:** SF2011400588

PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	
	Certified Fee	
	Return Receipt Fee	
	Restricted Delivery	
	Total Postage & Fees	

US Postal Service

**Receipt for Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail

POSTMARK OR DATE

4/19/12

## **Exhibit 3**



**MEDICAL BOARD OF CALIFORNIA**  
**Discipline Coordination Unit**



December 19, 2011

TO WHOM IT MAY CONCERN:

I, A. RENEE THREADGILL, Chief of the Enforcement Program, Medical Board of California, do hereby certify that J. FRANK JAMES, M.D., whose address of record is DEPARTMENT OF PSYCHIATRY ECH SOM, GREENVILLE, NC 27837, was issued Physician's and Surgeon's Certificate Number C 27034 by the Board on April 23, 1965. Said certificate expired on September 30, 2007. The certificate is in a SUSPENDED STATUS based on full license restrictions pursuant to Section 2310(a) of the Business and Professions Code.

I further certify that disciplinary action was taken against this certificate as follows: On December 19, 2011 pursuant to Section 2310(a) of the Business and Professions Code a FULL OUT OF STATE SUSPENSION ORDER-NO PRACTICE was issued.

Respectfully submitted,

A handwritten signature in cursive script that reads "A. Renee Threadgill".

A. RENEE THREADGILL  
Chief  
Enforcement Program

**SECTION 162 OF THE BUSINESS AND PROFESSIONS CODE:**

The certificate of the officer in charge of the records of any board in the department that any person was or was not on a specified date, or during a specified period of time, licensed, certified or registered under the provisions of law administered by the Board, or that the license, certificate or registration of any person was revoked or under suspension, shall be admitted in any court as prima facie evidence of the facts therein recited.





# MEDICAL BOARD OF CALIFORNIA

## LICENSE LOOKUP SYSTEM

### License Information:

The following information is maintained by the Medical Board of California. For more information, click on the blue tabs above.

<b>License:</b>	<b>C 27034</b> Licensee is a U.S., Canadian, or International medical school graduate whose pathway to licensure was based on licensure in another state for four or more years; or ABMS certification and a valid license.
<b>License Type:</b>	Physician and Surgeon
<b>Name:</b>	J FRANK JAMES, M.D.
<b>Address of Record:</b>	<b>DEPT OF PSYCHIATRY ECH SOM GREENVILLE, NC 27837</b>
<b>Address of Record County:</b>	OUT OF STATE
<b>License Status:</b>	<b>License Renewal Pending</b> Licensee failed to certify compliance with the continuing medical education requirement and/or failed to certify that he or she disclosed the names of those health-related facilities in which the licensee and/or family may have a financial interest. Practice is permitted unless license expires. <b>License Suspended</b> Licensee has been suspended. No practice is permitted.
<b>Public Record Action(s):</b>	<b>Suspended By Other State/Federal Government</b> License suspended or revoked by another state or the federal government. <b>Accusation Filed</b> A formal, public charge by the Board alleging a physician violated the Medical Practice Act. This is the result of a fully investigated complaint that has been referred to the Attorney General's Office for prosecution. Practice is permitted unless otherwise specified. <b>Disciplined By Other State/Federal Government</b> Another state or the federal government has disciplined licensee.
<b>Original Issue Date:</b>	April 23, 1965
<b>Expiration Date:</b>	September 30, 2007
<b>School Name:</b>	UNIVERSITY OF TENNESSEE COLLEGE OF MEDICINE
<b>Year Graduated:</b>	1963

### Survey Information:

The following information is self-reported by the licensee and has not been verified by the Board.

<b>Activities In Medicine:</b>	PATIENT CARE - 40+ HOURS RESEARCH - NO HOURS TEACHING - 1 TO 9 HOURS ADMINISTRATION - NO HOURS
<b>Primary Practice Location Zip Code:</b>	27858
<b>Board Certification(s):</b>	No board certifications identified
<b>Primary Practice Area(s):</b>	PSYCHIATRY
<b>Secondary Practice Area(s):</b>	No secondary practice areas identified
<b>Post Graduate Training Years:</b>	4 YEARS
<b>Ethnic Background:</b>	CAUCASIAN/WHITE/EUROPEAN/MIDDLE EASTERN
<b>Foreign Language(s):</b>	Declined to Disclose
<b>Gender:</b>	Male

### Public Record Action(s):

Please select the **Public Record Documents** tab to view the public document database. If information is posted in the Administrative Disciplinary Actions, Court Order, Administrative Citation Issued, or License Issued with Public Letter of Reprimand categories below, documents may be available for review. To find out what information is and is not available, please click [here](#).

### Administrative Disciplinary Actions:

The Medical Board's public disclosure screens are updated periodically as new information becomes available. Please contact the Central File Room at (916) 263-2525 or at 2005 Evergreen Street, Suite 1200, Sacramento, CA 95815, to obtain a copy of public documents at a minimal charge.

**Case Number:** 16-2011-218855  
**Description of Action:** EFFECTIVE 01/23/12 ACCUSATION FILED. THE PHYSICIAN HAS NOT HAD A HEARING OR BEEN FOUND GUILTY OF ANY CHARGES. EFFECTIVE 12/19/11 SUSPENDED-NO PRACTICE PURSUANT TO SECTION 2310(A) OF THE BUSINESS & PROFESSIONS CODE. BASED ON SUSPENSION OR REVOCATION IN ANOTHER STATE.  
**Effective Date of Action:** January 23, 2012

**Court Order:**

This information would be provided if a physician's practice has been temporarily restricted or suspended pursuant to a court order. Please contact the Central File Room at (916) 263-2525 or at 2005 Evergreen Street, Suite 1200, Sacramento, CA 95815, to obtain a copy of the public documents.

**No Court Orders found.**

**Administrative Action Taken by Other State or Federal Government:**

This information is provided by another state/federal government agency. The Medical Board of California may take administrative action based on the action imposed by another state/federal government agency. For more information or verification, contact the agency listed below that imposed the action.

**Jurisdiction:** NORTH CAROLINA MEDICAL BOARD  
**Description of Action:** INDEFINITE SUSPENSION OF NORTH CAROLINA MEDICAL LICENSE.  
**Date of Action:** September 21, 2011

**Felony Conviction:**

The information provided only includes felony convictions that are known to the Board. All felony convictions known to the Board are reviewed and administrative action is taken only if it is determined that a violation of the Medical Practice Act occurred. For more information regarding felony convictions, contact the court of jurisdiction listed below.

**No Felony Convictions found.**

**Misdemeanor Conviction:**

California Business and Professions Code section 2027 (A)(7) states effective 1/1/07, any misdemeanor conviction that results in a disciplinary action or an accusation that is not subsequently withdrawn or dismissed shall be posted on the Internet. To see if a conviction has been expunged or dismissed, please contact the court below.

**No Misdemeanor Convictions found.**

**Administrative Citation Issued:**

A citation and/or fine has been issued for a minor violation of the law. This is not considered disciplinary action under California law but is an administrative action. Payment of the fine amount represents satisfactory resolution of this matter.

**No Administrative Citations found.**

**License Issued with Public Letter of Reprimand:**

The Medical Board of California has concurrently issued the applicant a medical license and a Public Letter of Reprimand for a minor violation that does not require probationary status or warrant denial. The issuance of a Public Letter of Reprimand is not considered disciplinary action and is not reported to the National Practitioner Databank or the Federation of State Medical Boards.

**No License Issued with Public Letter of Reprimand found.**

**Hospital Disciplinary Action:**

The action taken by this healthcare facility against this physician's staff privileges to provide health care services at this facility was for a medical disciplinary cause or reason. The Medical Board is authorized by law to disclose only revocations and terminations of staff privileges. The Medical Board is prohibited from releasing a copy of the actual report or any other information.

**No Hospital Disciplinary Actions found.**

**Malpractice Judgment:**

A malpractice judgment is a payment for damages and does not necessarily reflect that the physician's medical competence is below the standard of care. The Medical Board reviews all such reported judgments and action is taken only if it is determined that a violation of the Medical Practice Act occurred. The Medical Board is prohibited by law from releasing a copy of the judgment report or any other information concerning the judgment. For more information contact the court of jurisdiction listed below.

**No Malpractice Judgments found.**

**Arbitration Award:**

An arbitration award is a payment for damages and does not necessarily reflect that the physician's medical competence is below the standard of care. The Medical Board reviews all such reported arbitration awards and action is taken only if it is determined that a violation of the Medical Practice Act occurred. The Medical Board is prohibited by law from releasing a copy of the arbitration award report or any other information concerning the award.

**No Arbitration Awards found.**

**Malpractice Settlements:**

A settlement entered into by the licensee is a resolution of a claim for damages for death or personal injury caused by the licensee's negligence, error, or omission in practice, or by his or her rendering of unauthorized professional services. The Medical Board is required by law to disclose certain information related to the existence of multiple settlements made on or after January 1, 2003 in an amount of \$30,000 or more.

**No Malpractice Settlements found.**

**Note: "No information available from this agency" may not indicate none exists; but indicates no information has been reported to the Medical Board of California and/or that the Board is unable to post the information on the Web site by law.**

**Public Record Documents:**

All imaged documents provided by the Medical Board are being made available to provide immediate access for the convenience of interested persons. While the Medical Board believes the information to be reliable, human or mechanical error remains a possibility, as does delay in the posting or updating of information. Therefore, the Medical Board makes no guarantee as to the accuracy, completeness, timeliness, currency, or correct sequencing of the information. The Medical Board shall not be responsible for any errors or omissions, or for the use or results obtained from the use of this information. The types of documents which are available include, but are not limited to, accusations, decisions, suspension/restriction orders, public letters of reprimand and citations.

Date	Type	Pages
January 23, 2012	ACCUSATION/PETITION TO REVOKE	12
December 19, 2011	SUSPENSION/RESTRICTION ORDER	1

Please note that documents with an effective date prior to calendar year 2000 may not be available via the Web. To obtain a copy of the documents not posted on this site, please contact the Central File Room at (916) 263-2525 or click [here](#) for information on ordering public documents.

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