

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:)
)
Carol Ann Martin, M.D.,) CONSENT ORDER
)
Respondent.)

This matter is before the North Carolina Medical Board ("Board") on information regarding Carol Ann Martin, M.D. ("Dr. Martin"). Dr. Martin admits, and the Board finds and concludes that:

STATUTORY AUTHORITY

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.

FINDINGS OF FACT

Dr. Martin was first licensed as a physician by the Board on December 22, 1999, license number 9901651.

During the relevant times herein, Dr. Martin practiced psychiatry and sleep medicine in Cary, North Carolina.

In October/November 2012, Dr. Martin prescribed an excessive amount of Xanax® (alprazolam) to Patient A. Specifically, Dr. Martin prescribed a daily dose of forty-two (42) 2 mg tablets of

Xanax®. The recommended maximum does of Xanax® is ten (10) mg. Dr. Martin prescribed 8x the recommended maximum daily dose. When a pharmacist refused to refill this prescription, Dr. Martin sought to justify her prescribing by stating that Patient A was a "high metabolizer."

This unusual prescription provided the Board reason to review the care Dr. Martin provided to her other patients.

The Board reviewed the records of Patient A and three other patients, Patients B through D. In its review of those records, the Board found that Dr. Martin's treatment and overall care for Patients A through D to be below the standards of acceptable and prevailing medical practice. Specifically, the Board finds that with regards to Patients A through D, Dr. Martin: (1) prescribed excess amounts of controlled substances; (2) failed to confirm diagnoses; (3) failed to coordinate care outside of her speciality; and (4) demonstrated a lack of pharmacovigilance and lack of recognition of abuse.

Dr. Martin has fully cooperated with the Board's investigation at all times and has voluntarily undertaken remediation by obtaining Continuing Medical Education ("CME") related to controlled substance prescribing.

CONCLUSIONS OF LAW

The conduct, as described above, constitutes a departure from or the failure to conform to the standards of acceptable

and prevailing medical practice within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and grounds exists for the Board to annul, suspend, revoke, condition or limit Dr. Martin's license to practice medicine issued by the Board.

PROCEDURAL STIPULATIONS

Dr. Martin acknowledges and agrees that the Board has jurisdiction over her and over the subject matter of this case.

Dr. Martin knowingly waives her right to any hearing and to any judicial review or appeal in this case.

Dr. Martin acknowledges that she has read and understands this Consent Order and enters into it voluntarily.

Dr. Martin desires to resolve this matter without the need for more formal proceedings.

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

ORDER

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

1. Dr. Martin's license to practice medicine and surgery is SUSPENDED for TWELVE (12) MONTHS; however, such suspension is STAYED upon the following terms and conditions.

2. Within six (6) months of the date of this Consent Order, Dr. Martin shall complete ten hours of Category I Continuing Medical Education ("CME") courses for each of the

following two topics: medical record-keeping and controlled substance prescribing. The CME courses must be pre-approved by the Board's Medical Director. Dr. Martin shall submit evidence of the completion of CME courses to the Board's Compliance Department within thirty (30) days of completing the courses.

3. Within six (6) months after completing the courses described in enumerated paragraph 2 of this Consent Order, Dr. Martin shall submit medical records of six patients who were prescribed controlled substances. The Board will have the records reviewed by an outside reviewer of the Board's choosing. Dr. Martin shall bear the expense of the outside review. A copy of the full written report or documentation related to the outside review shall be provided to Dr. Martin. Should the Board determine that the medical records and/or care provided to these patients are below the accepted standard of care, then Dr. Martin's privilege to prescribe controlled substances may be immediately suspended. Should Dr. Martin's privileges to prescribe controlled substances be suspended, Dr. Martin, upon written request, will be afforded a hearing to contest the Board's determination that the care and/or medical records were below standards of acceptable and prevailing medical practice.

4. Dr. Martin shall obey all laws. Likewise, Dr. Martin shall obey all rules and regulations involving the practice of medicine.

5. Dr. Martin shall notify the Board in writing of any change in her residence or practice addresses within ten (10) days of the change.

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

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

8. Dr. Martin hereby waives any requirement under any law or rule that this Consent Order be served on her.

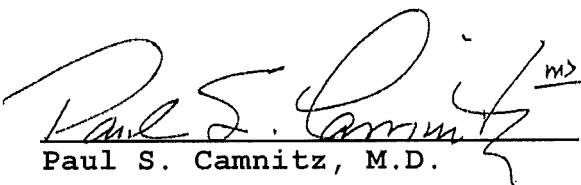
9. This Consent Order shall take effect immediately upon its execution by both Dr. Martin and the Board and it shall continue in effect until specifically ordered otherwise by the Board.

10. Upon execution by Dr. Martin 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 and the National Practitioner Data Bank.

By Order of the North Carolina Medical Board this the 11th day of April, 2014.

NORTH CAROLINA MEDICAL BOARD

By: 
Paul S. Camnitz, M.D.
President

Consented to this the 14th day of March, 2014.

Carol Ann Martin
Carol Ann Martin, M.D.

State of North Carolina

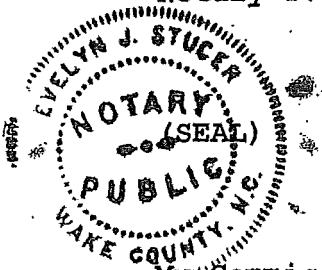
County of Wake

I, Evelyn J. Studer, a Notary Public for the above named County and State, do hereby certify that Carol Ann Martin, 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 14th day of March, 2014.

Evelyn J. Studer
Notary Public



My Commission expires: October 5, 2015