

BEFORE THE  
NORTH CAROLINA MEDICAL BOARD

In re:	)	
	)	
Hazel Thornton Fishel, M.D.,	)	CONSENT ORDER
	)	
Respondent.	)	

This matter is before the North Carolina Medical Board ("Board") regarding information provided to the Board concerning Hazel Thornton Fishel, M.D. ("Dr. Fishel"). Dr. Fishel makes the following admissions and the Board makes the following findings and conclusions:

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 to it in Article 1 of Chapter 90 of the North Carolina General Statutes and the rules and regulations promulgated thereto.

FINDINGS OF FACT

Dr. Fishel was first issued a license to practice medicine by the Board on or about May 25, 2016, license number 2016-01151.

At all times relevant hereto, Dr. Fishel practiced psychiatry in Black Mountain, North Carolina.

In September 2017, Patient A presented to a western North Carolina healthcare facility for voluntary alcohol detoxification. Patient A was diagnosed with alcohol use disorder (severe) and generalized anxiety disorder. Dr. Fishel was part of a team involved in Patient A's care. Patient A's medical record indicates that Dr. Fishel co-signed Patient A's psychiatric evaluation and lists Dr. Fishel as being responsible for psychiatric management two to seven times a week as well as being responsible for supervising the implementation and monitoring of Patient A's detoxification protocol. Patient A was discharged from the facility in October 2017 with Dr. Fishel co-signing Patient A's discharge summary.

In May 2018, Dr. Fishel and Patient A communicated on social media. At the time, Patient A was married but claimed to be estranged from his wife. This claim was false.

After establishing contact on social media, Dr. Fishel and Patient A planned to meet at a coffee shop. The coffee shop had closed and they went to a local restaurant. At the restaurant, Dr. Fishel and Patient A consumed alcoholic beverages. She had wine and he drank beers. Afterwards, the two kissed romantically.

Over the following days, Dr. Fishel and Patient A maintained a limited relationship. She visited with him twice during his lunch breaks. Patient A and Dr. Fishel exchanged

personal messages on social media, with those messages becoming more personal over that time. The relationship between Dr. Fishel and Patient A ended when Patient A's wife learned of it and contacted Dr. Fishel.

Dr. Fishel's relationship with a former patient violated the ethics of her profession. Dr. Fishel consuming alcohol with a patient who she had treated for alcohol use disorder (severe) was medically inappropriate and unprofessional.

In May 2018, Dr. Fishel self-reported her conduct to the Board.

#### CONCLUSIONS OF LAW

Dr. Fishel acknowledges that her conduct, as described above, constitutes unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and grounds exist under this section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition, or limit Dr. Fishel's license to practice medicine or to deny any application she might make in the future.

#### PROCEDURAL STIPULATIONS

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

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

Dr. Fishel, with advice of legal counsel, acknowledges that she has read and understands this Consent Order and enters into it voluntarily.

Dr. Fishel 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. Fishel's consent, it is ORDERED that:

1. Dr. Fishel's North Carolina license to practice medicine is hereby SUSPENDED for one (1) year. However, this one-year suspension is hereby stayed, except for a period of THIRTY (30) DAYS for which Dr. Fishel shall serve an active suspension, beginning on December 14, 2018, and ending on January 12, 2019.

2. Within six (6) months of the date of this Consent Order, Dr. Fishel shall take and successfully obtain a passing score from the Professional/Problem-Based Ethics ("ProBE") course, an education course offered by the Center for Personalized Education for Physicians ("CPEP"). Dr. Fishel shall submit evidence of the successful completion of the ProBE course to the Board's Compliance Coordinator, North Carolina Medical Board, P.O. Box 20007, Raleigh, NC 27619-0007 or

compliance@ncmedboard.org within five (5) days of receiving her grade.

3. Dr. Fishel shall obey all laws. Likewise, she shall obey all rules and regulations involving the practice of medicine.

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

5. Upon request, Dr. Fishel shall provide the Board with any information the Board deems necessary to verify compliance with the terms and conditions of this Consent Order.

6. If Dr. Fishel 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 or revoke her license to practice medicine and to deny any application she might make in the future or then have pending for a license to practice medicine.


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

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

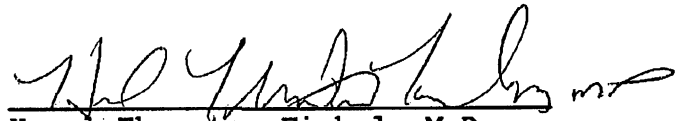
9. Upon execution by Dr. Fishel and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be reported to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

By Order of the North Carolina Medical Board this the 11th day of December, 2018.

NORTH CAROLINA MEDICAL BOARD

By:   
Barbara E. Walker, D.O.  
President

Consented to this the 07 day of December, 2018.


  
Hazel Thornton Fishel, M.D.

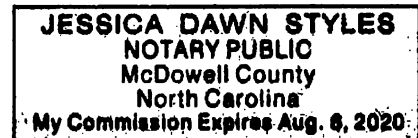
State of North Carolina

County of Buncombe

I, Jessica Styles, do hereby certify that  
Hazel Thornton Fishel, 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 7<sup>th</sup> day of  
December, 2019.

  
Notary Public



(Official Seal)

My Commission Expires: August 6, 2020