

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:)	
)	
Barry Allen Moore, M.D.,)	CONSENT ORDER
)	
Respondent.)	

This matter is before the North Carolina Medical Board ("Board") regarding information provided to the Board concerning Barry Allen Moore, M.D. ("Dr. Moore"). Dr. Moore 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. Moore was first issued a license to practice medicine by the Board on or about August 9, 1974, license number 19520.

At all times relevant hereto, Dr. Moore practiced psychiatry in Wilmington, North Carolina.

On or around July 3, 2019, the Board received a complaint alleging that providers and staff at a psychiatric and addiction

care practice, where complainant was previously employed, were inappropriately prescribing buprenorphine, a Category III Controlled Substance. The complainant identified several instances where patients were prescribed inappropriate medications after failed urine drug screens and such non-compliance with the patients' medication agreements was not addressed. Further, the complainant alleged that unlicensed, non-physician staff had called in controlled substance prescriptions under his name for patients he had never examined, without his permission, and despite his specific instructions not to do so.

The Board submitted the patient records of six patients to an independent reviewing expert. The reviewing expert opined that the care of four of the six patients was below the acceptable and prevailing medical standards. The reviewing expert's criticisms of Dr. Moore's care of the four patients included, among other things, the following:

- The medical record documentation was minimal and did not include sufficient histories or support the diagnoses.
- The clinical notes were often "identical boilerplate" or "largely boilerplate" and not individualized for the particular patient.

- There was no documented rationale for treatment decisions, and no documentation of discussions with patients or evident recognition of potentially dangerous drug combinations.
- Three of the four patients had positive urine drug screens for non-prescribed controlled substances or illicit substances, but there is no evidence or documentation that Dr. Moore acted on these inappropriate findings.
- Several patients were prescribed "higher than usual" or "higher than average" medication doses without explanation, which can be associated with diversion of medications.

Further, Dr. Moore admitted to the Board that he authorized controlled substance prescriptions for the patients of a longstanding colleague, following discussion of and review of the patients with that colleague, although Dr. Moore had not personally examined the patients. Dr. Moore acknowledged that he was aware that his colleague lost his Drug Enforcement Agency ("DEA") privileges through a 2017 Consent Order with the Board. Dr. Moore explained to the Board that he believed such prescribing was permitted. It is inappropriate, however, absent limited exceptions, none of which are applicable here, for a

prescriber to authorize a controlled substance prescription for a patient he has not personally examined.

CONCLUSIONS OF LAW

Dr. Moore's conduct, as described above, constitutes unprofessional conduct, including, but not limited to, 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) which is grounds under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition, or limit Dr. Moore's license to practice medicine or to deny any application he may make in the future.

PROCEDURAL STIPULATIONS

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

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

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

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

1. Dr. Moore's North Carolina license to practice medicine is hereby SUSPENDED for ONE (1) YEAR. This SUSPENSION is hereby STAYED, upon the following terms and conditions:

a. Dr. Moore shall surrender his DEA buprenorphine prescribing waiver within thirty (30) days of execution of this Consent Order.

b. Dr. Moore shall pay an administrative fine of five thousand dollars (\$5,000.00) to the Board within six (6) months of the date of this Consent Order. Payment of the administrative fine shall be paid by check made payable to the "North Carolina Medical Board" and returned to the attention of the Board's Compliance Coordinator at North Carolina Medical Board, P.O. Box 20007, Raleigh, NC 27619-0007.

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

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

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

5. If Dr. Moore 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 his license to practice medicine and to deny any application he might make in the future or then have pending for a license to practice medicine.

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

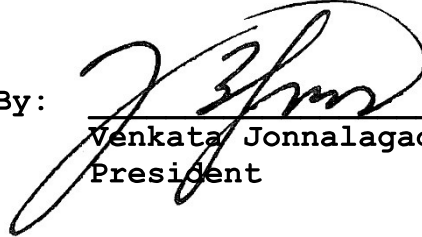
7. Dr. Moore hereby waives any requirement under any law or rule that this Consent Order be served on him.

8. Upon execution by Dr. Moore 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 8th
day of February, 2021.

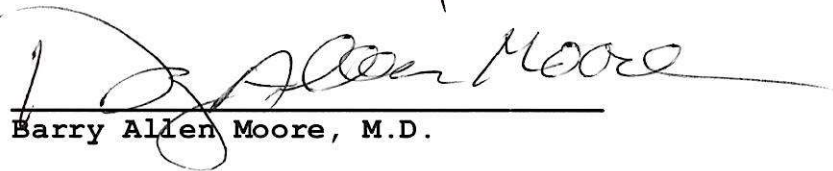
NORTH CAROLINA MEDICAL BOARD

By:

A handwritten signature in black ink, appearing to read 'Venkata Jonnalagadda', is written over a horizontal line.

Venkata Jonnalagadda, M.D.
President

Consented to this the 5 day of February, 2021.



Barry Allen Moore, M.D.

State of NC

County of North Carolina

I, Sherry L. Butler, do hereby certify that
Barry Allen Moore, 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 5 day of
February, 2021.


Notary Public

My Commission Expires: 12-13-2023

