

NORTH CAROLINA MEDICAL BOARD
VOLUNTARY SURRENDER FORM

Name: Bryan Dorsey Smith License #: NC 200201531
Address: 115 Graystar Rd. Date of Birth: 01-05-58
Apex, NC. 27502-6424
Phone #: 919 267-6899

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 Once tendered, this decision to surrender my license may not be withdrawn.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: 01-07-10

Signature: [Signature]

Witness: [Signature]



**NORTH CAROLINA
MEDICAL BOARD**

George L. Saunders, III, MD
President

Donald E. Jablonski, DO
President-Elect

Janice E. Huff, MD
Secretary/Treasurer

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Janelle A. Rhyne, MD

William A. Walker, MD

January 8, 2010

PERSONAL AND CONFIDENTIAL

Dr. Bryan Dorsey Smith
115, Graystar Road
Apex, NC 27502

Re: License Surrender

Dear Dr. Smith:

This will acknowledge receipt of your Voluntary Surrender Form of January 7, 2010. The surrender of your license to practice medicine (license number 200201531) 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

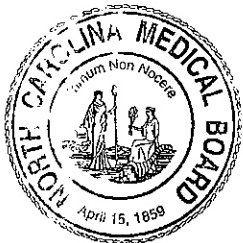
RDH:jo

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
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Web: www.ncmedboard.org



**NORTH CAROLINA
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May 19, 2010

Via Certified Mail – Return Receipt Requested

Bryan D. Smith, M.D.
105 Graystar Road
Apex, NC 27502

Dear Dr. Smith:

The North Carolina Medical Board (“Board”) has reviewed information regarding the action taken against your Maine medical license and has decided to issue you this public letter of concern. The Board does not consider a public letter of concern to be a disciplinary act.

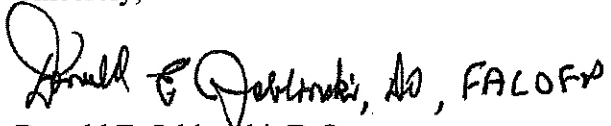
The Board has reviewed the action taken by the Maine Board of Licensure in Medicine on July 14, 2009. Your license application was denied for not meeting the statutory and rule requirements for licensure and, in lieu of proceeding to an Adjudicatory Hearing you agreed to accept a censure and pay a civil penalty of \$1,000.00. The issue in this matter is based on your representation contained in your application for a Maine medical license. In that application, you indicated that you met the statutory requirements for Maine medical licensure, when in fact you did not meet such requirements. You have indicated that in your original Maine application you failed to note the requirement that all parts of the National Board of Medical Examiners (“NBME”) exam must be passed in seven years; although you had passed all portions of the exam, due to a break in your studies you passed the exam over a period of nine years, and therefore your answer to the question on the application was inaccurate. You have indicated that further communications by the Maine Board with you in this regard were handled through your employer’s staff, and that you did not review those responses. Although you maintain that your failure to respond accurately to the Maine Board was not intentional, you admit that it ultimately was your responsibility to assure that all questions on that application were answered accurately, and that the Maine Board was authorized to take the action referenced above against you.

The Board cautions you that repetition of similar occurrences may lead to the commencement of disciplinary proceedings against your license to practice as a physician in North Carolina. In such an event, this public letter of concern may be entered into evidence as aggravation. This public letter of concern 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 law.

Bryan D. Smith, M.D.
May 19, 2010
Page Two

However, it will not be reported to the National Practitioner Data Bank or the Healthcare Integrity and Protection Data Bank.

Sincerely,

A handwritten signature in black ink that reads "Donald E. Jablonski, D.O., FALOF". The signature is written in a cursive style with a large initial "D".

Donald E. Jablonski, D.O.
Board President

DEJ/PFB/bjs

CC: Johnny Loper, Esq. (via email)

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:)	
)	
Bryan D. Smith, M.D.,)	CONSENT ORDER
)	
Respondent.)	

This matter is before the North Carolina Medical Board ("Board") on information that Bryan D. Smith, M.D. ("Dr. Smith"), is presently unable to practice medicine with reasonable skill and safety by reason of excessive use of alcohol, drugs or chemicals. Dr. Smith 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. Smith is a physician licensed by the Board on November 8, 2002, license number 2002-01531; and

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

Whereas, on or about November 20, 2009, Dr. Smith determined that he was an abuser of alcohol; and

Whereas, Dr. Smith thereafter obtained a North Carolina Physicians Health Program ("NCPHP") assessment; and

Whereas, NCPHP recommended that Dr. Smith enter a residential treatment program; and

Whereas, Dr. Smith thereafter entered a residential treatment program on November 30, 2009; and

Whereas, on January 8, 2010, Dr. Smith voluntarily surrendered his North Carolina license to practice medicine; and

Whereas, Dr. Smith's use and abuse of alcohol constitutes Dr. Smith being unable to practice medicine with reasonable skill and safety to patients by reason of excessive use of alcohol, drugs or chemicals 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. Smith's medical license issued by the Board or to deny any application he might make in the future; and

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

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

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

Whereas, Dr. Smith 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. Smith's consent, it is ORDERED that:

1. Dr. Smith's license to practice as a physician in North Carolina is hereby INDEFINITELY SUSPENDED.

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

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

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

5. If Dr. Smith 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. Smith's

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. Smith and the Board and it shall continue in effect until specifically ordered otherwise by the Board.

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

8. Upon execution by Dr. Smith 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
21st day of May, 2010.

NORTH CAROLINA MEDICAL BOARD

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

Consented to this the 20 day of May, 2010.



Bryan D. Smith, M.D.

State of North Carolina

County of Wake

I, S. M. Downs II, a Notary Public for the above named State and County, do hereby certify that Bryan D. Smith, 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 20th day of May, 2010.


Notary Public

(SEAL)

My Commission expires: 08/06/2014





**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

BRYAN D. SMITH, M.D.

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: 2002-01531

Issue Date: 01/26/2011

Expiration Date: 01/31/2012

R. David Henderson

**R. David Henderson
Executive Director**

SEAL

R. David Henderson
Executive Director

1203 Front Street
Raleigh, North Carolina 27609-7533

Mailing:
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BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:)	
)	
Bryan D. Smith, M.D.,)	CONSENT ORDER
)	
Respondent.)	

This matter is before the North Carolina Medical Board ("Board") on the application of Bryan D. Smith, M.D. ("Dr. Smith"), for reinstatement of his medical license with the Board. Dr. Smith 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. Smith is a physician first licensed by the Board on November 8, 2002, license number 2002-01531; and

Whereas, Dr. Smith voluntarily surrendered his North Carolina license to practice medicine on January 8, 2010, as a result of his prior alcohol abuse; and

Whereas, Dr. Smith thereafter entered into a Consent Order with the Board indefinitely suspending his North Carolina medical license on May 21, 2010; and

Whereas, Dr. Smith has entered into a contract with the North Carolina Physicians Health Program ("NCPHP") and NCPHP reports that Dr. Smith is in full compliance with his NCPHP contract; and

Whereas, Dr. Smith met with members of the Board for an interview on January 20, 2011, to discuss his application for reinstatement of his North Carolina medical license; and

Whereas, Dr. Smith has taken steps and has agreed to take further steps to ensure the Board and the people of North Carolina that he will be able to practice medicine safely; and

Whereas, Dr. Smith admits that, if he were to use and abuse alcohol, that would constitute Dr. Smith being unable to practice medicine with reasonable skill and safety to patients by reason of excessive use of alcohol, drugs or chemicals within the meaning of N.C. Gen. Stat. § 90-14(a)(5) and grounds would then exist under N.C. Gen. Stat. § 90-14(a)(5) for the Board to annul, suspend, revoke or limit Dr. Smith's medical license issued by the Board or to deny any application he might make in the future; and

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

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

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

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

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

1. The Board shall issue Dr. Smith a North Carolina medical license to expire on the date shown thereon.
2. Dr. Smith shall maintain his contract with NCPHP and abide by its terms, including payment of any and all fees required.
3. Unless lawfully prescribed for Dr. Smith by someone other than himself, Dr. Smith shall refrain from the use of alcohol and all other mind-altering, mood-altering and controlled substances. Dr. Smith shall notify the Board in writing within ten (10) days of his use of such medication,

substances and/or alcohol. This notice shall include, but shall not be limited to, identification of the prescribing physician and of the pharmacy filling the prescription, if applicable.

4. Upon request by the Board, Dr. Smith shall supply urine, blood, hair and any other bodily fluid or tissue sample the Board might reasonably require for the purposes of analysis and testing.

5. Dr. Smith shall obey all laws and he shall obey all regulations related to the practice of medicine.

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

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

8. If Dr. Smith 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. Smith's license to practice medicine or to deny any application he might make in the future or then have pending for a license.

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

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


11. Upon execution by Dr. Smith 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
26th day of January, 2011.

NORTH CAROLINA MEDICAL BOARD

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

Consented to this the 26 day of January, 2011.


Bryan D. Smith, M.D.

State of North Carolina

County of Wake

I, Michele W. Goodwin, a Notary Public for the above named State and County, do hereby certify that Bryan D. Smith, 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 26th day of January, 2011.


Notary Public

(SEAL)

My Commission expires:

10-5-13

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:)	
)	
Bryan D. Smith, M.D.,)	CONSENT ORDER
)	
Respondent.)	

This matter is before the North Carolina Medical Board ("Board") on information the Board has received concerning Bryan D. Smith, M.D. ("Dr. Smith"). Dr. Smith 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. Smith is a physician licensed by the Board on November 8, 2002, license number 2002-01531; and

Whereas, at all times relevant Dr. Smith practiced psychiatry in Apex, North Carolina; and

Whereas, on or about November 2009, Dr. Smith was assessed by the North Carolina Physicians Health Program ("NCPHP") due to alcohol related concerns; and

Whereas, on January 8, 2010, Dr. Smith voluntarily surrendered his North Carolina license to practice medicine due to issues related to his alcohol dependence; and

Whereas, Dr. Smith thereafter entered into a Consent Order with the Board, dated May 21, 2010, that indefinitely suspended his North Carolina medical license; and

Whereas, Dr. Smith thereafter worked with NCPHP to address and receive treatment for his alcohol related problems; and

Whereas, Dr. Smith thereafter applied for reactivation of his North Carolina medical license, which was granted by the Board via a Consent Order dated January 26, 2011; and

Whereas, the January 26, 2011, Consent Order requires Dr. Smith to maintain a contract with NCPHP and abide by its terms including, and not limited to, refraining from substances prohibited by NCPHP; and

Whereas, on or about March 2011, Dr. Smith consumed and tested positive for dextromethorphan, a substance found in over the counter cold medicines and which is prohibited by NCPHP; and

Whereas, Dr. Smith's consumption of dextromethorphan constituted a violation of Dr. Smith's NCPHP contract and the January 26, 2011, Consent Order; and

Whereas, on June 2, 2011, Dr. Smith requested that his North Carolina medical license be placed on inactive status; and

Whereas, Dr. Smith's use of dextromethorphan as detailed herein constitutes Dr. Smith 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. Smith's medical license issued by the Board or to deny any application he might make in the future; and

Whereas, Dr. Smith has violated his NCPHP contract and the January 26, 2011, Consent Order by his use of dextromethorphan as detailed herein, which 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 Dr. Smith's medical license issued by the Board or to deny any application he might make in the future; and

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

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

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

Whereas, Dr. Smith 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. Smith's consent, it is ORDERED that:

1. Dr. Smith's license to practice as a physician in North Carolina is hereby INDEFINITELY SUSPENDED.

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

3. If Dr. Smith 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. Smith's license to practice medicine or to deny any application he might make in the future or then have pending for a license.

4. This Consent Order shall take effect immediately upon its execution by both Dr. Smith and the Board and it shall

continue in effect until specifically ordered otherwise by the Board.

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

6. Upon execution by Dr. Smith 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 7th day of September, 2011.

NORTH CAROLINA MEDICAL BOARD

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

Consented to this the 2 day of September, 2011.

Bryan D. Smith
Bryan D. Smith, M.D.

State of North Carolina

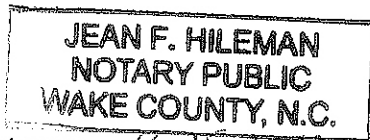
County of Wake

I, Jean F. Hileman, a Notary Public for the above named State and County, do hereby certify that Bryan D. Smith, 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 2 day of September, 2011.

Jean F. Hileman
Notary Public

(SEAL)



My Commission expires: 4-25-2012



**NORTH CAROLINA
MEDICAL BOARD**

Ralph C. Loomis, MD
President

William A. Walker, MD
President-Elect

Thomas R. Hill, MD
Secretary/Treasurer

TEMPORARY MEDICAL LICENSE

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

BRYAN D. SMITH, M.D.

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: 2002-01531

Issue Date: 06/20/2012

Expiration Date: 01/31/2013

R. David Henderson

**R. David Henderson
Executive Director**



SEAL

R. David Henderson
Executive Director

1203 Front Street
Raleigh, North Carolina 27609-7533

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BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:)	
)	CONSENT ORDER
Bryan Dorsey Smith, M.D.,)	AND
)	REENTRY AGREEMENT
Respondent.)	

This matter is before the North Carolina Medical Board ("Board") on the application of Bryan Dorsey Smith, M.D. ("Dr. Smith") for reinstatement of his North Carolina medical license. Dr. Smith 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. Smith is a physician first licensed by the Board on or about November 8, 2002, license number 2002-01531; and

Whereas, on January 8, 2010, Dr. Smith voluntarily surrendered his North Carolina medical license due to issues related to alcohol dependence; and

Whereas, the Board issued Dr. Smith a public letter of concern on May 19, 2010, based on the denial of his application for licensure by the Maine Board of Licensure in Medicine; and

Whereas, Dr. Smith entered into a Consent Order with the Board on May 21, 2010, that indefinitely suspended his North Carolina medical license; and

Whereas, Dr. Smith entered into a contract with the North Carolina Physicians Health Program ("NCPHP") to address and receive treatment for his alcohol related problems; and

Whereas, Dr. Smith applied for reactivation of his North Carolina medical license and was granted a temporary medical license by the Board via a Consent Order dated January 26, 2011; and

Whereas, in March 2011, Dr. Smith violated his Consent Order dated January 26, 2011, by consuming dextromethorphan, a substance found in over the counter cold medicines; and

Whereas, on June 2, 2011, Dr. Smith requested that his North Carolina medical license be placed on inactive status; and

Whereas, on September 7, 2011, Dr. Smith entered into a Consent Order with the Board in which his license was indefinitely suspended; and

Whereas, Dr. Smith met with a panel of the Board in May 2012 for an interview to discuss his application for reinstatement of his North Carolina medical license; and

Whereas, NCPHP advocates for Dr. Smith to receive a license to practice medicine in North Carolina; and

Whereas, when abusing substances, Dr. Smith is unable to practice medicine and surgery with skill and safety to patients by reason of illness or excessive use of drugs, within the meaning of N.C. Gen. Stat. § 90-14(a) (5); and

Whereas, Dr. Smith has not practiced as a physician since January 2010 and admits that his being out of the active practice of medicine as a physician since January 2010 indicates the need to successfully complete a program of reentry into practice as a physician in order for the Board to issue him a license; and

Whereas, Dr. Smith has submitted a plan for his reentry into practice that has been reviewed and approved by the Board ("Reentry Plan"); and

Whereas, Dr. Smith 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. Smith's consent, it is ORDERED that:

1. The Board will issue Dr. Smith a medical license to expire on the date shown thereon.
2. Dr. Smith shall maintain his current contract with NCPHP and abide by all of its terms and recommendations.

3. Unless lawfully prescribed for him by someone other than himself, Dr. Smith shall refrain from the use or possession of alcohol and all other mind-altering, mood-altering and controlled substances including, but not limited to, sedatives, stimulants and pain medications.

4. Upon request by the Board, Dr. Smith shall supply urine, blood, hair or any other bodily fluid or tissue samples the Board might reasonably require for the purposes of analysis to determine if he has consumed any of the substances mentioned above.

5. Dr. Smith shall undertake a program of reentry into the practice of medicine pursuant to the Reentry Plan that shall consist of a period of mentoring by Robert A. Fleury, M.D. ("Dr. Fleury") that shall begin within sixty (60) days from the effective date of this Consent Order and Reentry Agreement ("Reentry Period"). Dr. Fleury shall serve as Dr. Smith's mentor and provide the Board with letters that describe his mentoring and make an assessment of Dr. Smith's competency.

6. Dr. Smith may not practice medicine and surgery outside of the scope of this Consent Order and Reentry Agreement.

7. The Reentry Period shall consist of the following phases:

a. Phase I: Phase I of the Reentry Period shall last for one (1) month. Phase I shall consist of Dr. Smith working a reduced hour work week with Dr. Fleury on site at Dr. Smith's place of work for a majority of Dr. Smith's working hours. During Phase I, Dr. Smith and Dr. Fleury shall meet at least once a week to discuss aspects of Dr. Smith's practice that shall include:

- (1) Patient care;
- (2) Medical knowledge;
- (3) Communication;
- (4) Practice based learning;
- (5) Systems based care; and
- (6) Professionalism.

For the remainder of this Consent Order and Reentry Agreement, the above (1) - (6) shall be referred to collectively as the "Core Mentor Practice Areas."

b. Phase II: Phase II of the Reentry Period shall last for five (5) months. Phase II shall consist of Dr. Smith working a full-time work week with Dr. Fleury on site at Dr. Smith's place of work for a majority of Dr. Smith's working hours. During Phase II, Dr. Smith and Dr. Fleury shall

meet at least once a week to discuss aspects of Dr. Smith's practice that shall include a discussion of the Core Mentor Practice Areas.

8. Dr. Smith shall ensure that Dr. Fleury delivers mentor letters to the Board's Director of Compliance on the following schedule and on the following terms:

a. Interim Mentor Letter: An Interim Mentor Letter shall be delivered that shall describe Dr. Smith's progress during the first three (3) months of the Reentry Period. The Interim Mentor Letter shall be delivered prior to beginning the fourth (4th) month of the Reentry Period.

b. Final Mentor Letter: A Final Mentor Letter shall be delivered that shall describe Dr. Smith's progress during the final three (3) months of the Reentry Period. The Final Mentor Letter shall be delivered within fourteen (14) days after completion of the Reentry Period.

c. Both the Interim Mentor Letter and the Final Mentor Letter shall describe with detail the nature of the mentoring and state an opinion as to the level of competency with which Dr. Smith practiced during each of the mentoring phases. The detailed description of the nature of the mentoring will include comments about Dr. Smith's competency in each of the Core Mentor Practice Areas.

9. If the Board requests, then Dr. Smith shall meet with members of the Board at such dates, times and places as directed by the Board to discuss his transition back into the practice of medicine, his clinical skills and any other subject the Board may deem necessary to discuss.

10. Any failure to comply completely and specifically with all terms, conditions and provisions of this Consent Order and Reentry Agreement 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, limit and/or otherwise take action against Dr. Smith's license to practice medicine or to deny any application he might make in the future or then have pending for a license to practice medicine.

11. This Consent Order and Reentry Agreement shall be treated as 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.

12. Dr. Smith shall notify the Board in writing of any change in his residence and/or practice addresses within ten (10) days of the change.

13. This Consent Order and Reentry Agreement shall take effect upon full execution by Dr. Smith, the Board and Dr.

Fleury and shall continue in effect until Dr. Smith receives written confirmation from the Board that he has satisfactorily completed all requirements herein.

14. Dr. Fleury shall have the right, upon written notice to the Board, to withdraw as the mentor. Such written notice shall state with particularity the reasons for withdrawal. Dr. Smith's approval is not required for Dr. Fleury to withdraw as mentor.

15. It is specifically understood and agreed upon by all parties to this Reentry Agreement that Dr. Fleury is acting solely as an agent of the Board pursuant to its powers contained in N.C. Gen. Stat. § 90-5.1. As an agent of the Board, Dr. Fleury shall be immune from civil liability pursuant to N.C. Gen. Stat. § 90-14(e) and § 90-14(f).

16. Indemnification: Dr. Smith agrees to and does hereby indemnify, save and hold harmless the Board and Dr. Fleury in his reentry mentoring capacity only from any and all loss and damage (including court costs and reasonable attorneys' fees) arising out of a complaint, suit and/or any type of legal action against the Board and/or Dr. Fleury, the subject of which concerns care rendered during the Reentry Period to a patient by Dr. Smith. The intent of this paragraph is for Dr. Smith to indemnify and hold harmless the Board and Dr. Fleury in his reentry mentoring capacity in the event that Dr. Smith is sued

along with the Board and Dr. Fleury arising out of patient care that Dr. Smith rendered during the Reentry Period.

17. Dr. Smith agrees not to seek any remedy or commence any action or legal proceeding of any nature or kind against Dr. Fleury arising out of the performance of Dr. Fleury's good faith duties as a mentor.


18. The timeframes, terms, provisions and conditions of the Reentry Period may be changed in Dr. Fleury's discretion, except that written approval from the Board's Medical Director is required if the timeframes provided in the Reentry Period are to be reduced in any way. Such Medical Director approval shall not be unreasonably withheld and shall be confirmed in writing or by electronic mail.

By consent and agreement of all parties and by Order of the North Carolina Medical Board this the 20th day of June, 2012.

NORTH CAROLINA MEDICAL BOARD

By: Ralph C. Loomis, M.D.
Ralph C. Loomis, M.D.
President

Consented to this the 20th day of June, 2012.


Bryan Dorsey Smith, M.D.

State of North Carolina

County of Moore

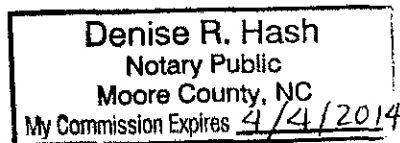
I, Denise Hash, a Notary Public for the above named County and State, do hereby certify that Bryan Dorsey Smith, M.D. personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal,

this the 20th day of June, 2012.

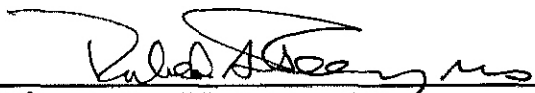
Denise R. Hash
Notary Public

(SEAL)



My Commission Expires: 4/4/2014

Consented to this the 20 day of June, 2012.


Robert A. Fleury, M.D.
Agent of The North Carolina
Medical Board

State of North Carolina

County of Moore

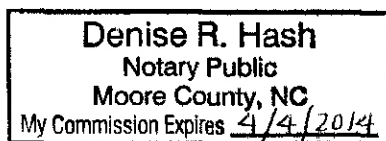
I, Denise R. Hash, a Notary Public for the
above named County and State, do hereby certify that Robert A.
Fleury, M.D. personally appeared before me this day and
acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal,

this the 20th day of June, 2012.

Denise R. Hash
Notary Public

(SEAL)



My Commission Expires: 4/4/2014



**NORTH CAROLINA
MEDICAL BOARD**

William A. Walker, MD
President

Paul S. Camnitz, MD
President-Elect

Cheryl L. Walker-McGill, MD
Secretary/Treasurer

TEMPORARY MEDICAL LICENSE

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

BRYAN DORSEY SMITH

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: 200201531

Issue Date: 1/17/2013

Expiration Date: 1/31/2014

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
Web: www.ncmedboard.org

SEAL



**NORTH CAROLINA
MEDICAL BOARD**

William A. Walker, MD
President

Paul S. Camnitz, MD
President-Elect

Cheryl L. Walker-McGill, MD
Secretary/Treasurer

CERTIFIED - RETURN RECEIPT REQUESTED

January 22, 2013

Bryan Dorsey Smith, MD
289 Olmstead Blvd. Ste 1
Pinehurst, NC 28374

Dear Dr. Smith:

The North Carolina Medical Board is pleased to report that you have fulfilled the requirements set forth in your Reentry Agreement. You are released from any further obligations under this Agreement.

This letter will be made a public document.

Thank you for your cooperation in this matter.

Sincerely,

R. David Henderson

R. David Henderson
Executive Director

R. David Henderson
Executive Director

1203 Front Street
Raleigh, North Carolina 27609-7533

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MEDICAL BOARD**

William A. Walker, MD
President

Paul S. Camnitz, MD
President-Elect

Cheryl L. Walker-McGill, MD
Secretary/Treasurer

**Smith Bryan D., MD
Pinehurst, NC**

License # 200201531

3/21/23 Board Action: Issue full license

R. David Henderson
Executive Director

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Raleigh, North Carolina 27609-7533

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Raleigh, North Carolina 27619-0007

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