

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:)
Justin Luke Gettings, M.D.) AMENDED CONSENT ORDER
Respondent.)

This matter is before the North Carolina Medical Board ("Board") on the application of Justin Luke Gettings, M.D. ("Dr. Gettings") for a full and unrestricted license in order to participate in residency approved moonlighting. Dr. Gettings 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

In April 2014, Dr. Gettings was terminated from his residency at Northwestern University for diverting prescriptions for opioids and Adderall for his personal use.

Dr. Gettings disclosed his actions to his residency director at Northwestern University and subsequently completed a sixty-day inpatient treatment program.

Dr. Gettings subsequently entered into a monitoring contract with the Texas Physicians Health Program in July 2014.

In May 2015, Dr. Gettings was issued a resident training license via Consent Order that contained a stayed indefinite suspension ("May 2015 Consent Order").

Prior to being issued his resident training license, Dr. Gettings had been assessed by the North Carolina Physicians Health Program ("NCPHP") and entered into a five-year monitoring contract with NCPHP. NCPHP advocated for the issuance of his resident training license.

Dr. Gettings has now applied for a full North Carolina medical license to allow him to moonlight at practice locations that are not considered part of his residency program. Dr. Gettings's residency director has communicated with the Board and indicated that his residency program supports, and closely monitors, moonlighting by its residents. Dr. Gettings's residency program only approves certain moonlighting practice locations.

NCPHP advocates for the issuance of a full medical license for Dr. Gettings and Dr. Gettings continues to take steps to ensure the Board and the people of North Carolina that he will be able to continue to safely practice medicine.

CONCLUSIONS OF LAW

Dr. Gettings admits that, when using illicit drugs, he is unable to practice medicine with reasonable skill and safety to patients by reason of illness, drunkenness, excessive use of alcohol, drugs, chemicals, or any other type of material or by reason of any physical or mental abnormality 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 his license or to deny any application he might make in the future or have pending for a license.

PROCEDURAL STIPULATIONS

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

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

Dr. Gettings acknowledges that he has read and understands this Amended Consent Order and enters into it voluntarily.

Dr. Gettings would like 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. Gettings's consent, Dr. Gettings's May 2015 Consent Order is AMENDED, and it is ORDERED by the Board that:

1. The Board shall issue Dr. Gettings a full medical license to practice medicine and surgery effective the date of this Amended Consent Order; however, Dr. Gettings shall restrict his practice of medicine to his residency program and those practice locations approved by his residency program. Upon successful completion of his residency program, this limitation on his practice site locations shall no longer remain in effect.

2. Unless lawfully prescribed for him by someone other than himself, Dr. Gettings shall refrain from the use of all mind and mood altering substances and all controlled substances including, but not limited to, sedatives, stimulants and pain medications. Dr. Gettings shall likewise refrain from the use of alcohol. Dr. Gettings shall notify the Board in writing within ten (10) days of his use of such medication or alcohol. This notice shall include to the extent applicable, but shall not be limited to, identification of the prescriber and of the pharmacy filling the prescription.

3. Upon request by the Board, Dr. Gettings 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 Dr. Gettings has consumed any of the substances mentioned above. All costs of obtaining and analyzing such samples shall be borne by Dr. Gettings.

4. Dr. Gettings shall maintain his contract with NCPHP, follow all NCPHP recommendations, and abide by all of the contract's terms including the timely payment of all fees required by NCPHP. Dr. Gettings's contract with NCPHP shall continue in effect until specifically ordered otherwise by the Board.

5. Dr. Gettings agrees that should he violate any term of this Amended Consent Order, such violation will provide sufficient basis for the Board to summarily suspend his license. If a summary suspension is entered, Dr. Gettings may request that a hearing be held promptly and understands that such a hearing will be scheduled as soon as feasible but not necessarily at the next Board meeting.

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

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

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

9. If Dr. Gettings fails to comply with any of the terms of this Amended 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. Gettings's license to practice as a physician or to deny any application he might make in the future or then have pending for a license.

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

11. Dr. Gettings hereby waives any requirement under law or rule that this Amended Consent Order be served upon him.

12. Upon execution by Dr. Gettings and the Board, this Amended 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 13th day of February, 2017.

NORTH CAROLINA MEDICAL BOARD

By: *Eleanor E. Greene, MD*
Eleanor E. Greene, M.D.
President

Consented to this the 7th day of Feb, 2017.

Justin Luke Gettings, M.D.
Justin Luke Gettings, M.D.

State of NC

County of Orange

I, Christopher Peele, a Notary Public for the above named County and State, do hereby certify that Justin Luke Gettings, 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 day of February, 2017.

Christopher Peele
Notary Public

CHRISTOPHER PEELE
Notary Public
Gulford Co., North Carolina
My Commission Expires July 16, 2020

(SEAL)

My Commission Expires: July 16, 2020