

BEFORE THE NEW MEXICO MEDICAL BOARD

IN THE MATTER OF)
)
Harold Alexander, MD)
License No. 84-3)
Respondent.)

No. 2014-046

STIPULATION AND ORDER

This matter, having come before the New Mexico Medical Board ("the Board"), by agreement of the Prosecutor and the respondent Harold Alexander, M.D., ("Respondent"), (collectively, "the Parties") regarding this Order and Stipulation of Licensure ("Stipulation"), and the Board, being fully advised, hereby finds and orders as follows:

FINDINGS:

- 1. Respondent is subject to the jurisdiction of the Board pursuant to the Medical Practice Act, NMSA 1978, Sections 61-6-1 through -35 ("the Act"), and the New Mexico Medical Board rules and regulations, Title 16, Chapter 10, NMAC.
2. The Board enters this Stipulation pursuant to NMSA 1978, Section 61-6-15(A), and Board Rule 16.10.5.15 NMAC.
3. The Board is currently investigating Respondent for alleged violations of the Act.
4. It is in the best interests of Respondent, and furthers the purposes of the Board, for Respondent to retire his license while under investigation by the Board.
5. Respondent knows and understands the applicable statutory and regulatory provisions setting forth the authority and power of the Board. Respondent further understands

that this Stipulation results in a waiver of his rights under the Uniform Licensing Act and the Act, including the right to a hearing and to judicial review on the matters alleged, and the right to challenge this Stipulation in court.

6. Respondent knows and understands his right to consult with an attorney, and Respondent's signature below signifies that Respondent has either consulted with an attorney or chosen not to.

7. Respondent knows that this Stipulation will be reported to the National Practitioner Data Bank and is a public document open to public inspection.

8. Respondent and the Board recognize that Respondent needs a reasonable amount of time to allow his current patients to transition to new health care providers before Respondent closes his medical practice.

BASED ON THE FORGOING FINDINGS, it is hereby ordered that:


1. Effective March 31, 20¹⁵~~14~~^{HEC}, Respondent license to practice medicine shall be RETIRED while under investigation, and he shall no longer engage in the practice of medicine thereafter.
2. From the date of this Stipulation until March 31, 20¹⁵~~14~~^{HEC}, Respondent shall limit his practice of medicine to health care services reasonable necessary to allow his current patients to transition to new health care providers. Such transitional care includes the prescribing of controlled substances and other dangerous drugs for no longer than a 30-day supply of such patient's current medical needs. During this time, Respondent shall accept no new patients.

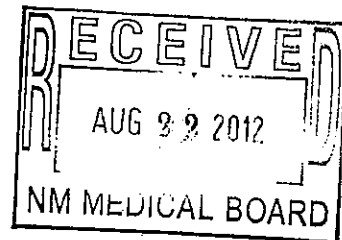
Dated: 1/15/15


Harold Alexander, M.D., Respondent

NEW MEXICO MEDICAL BOARD

Dated: 1/20/15

BY:  M.D.
Steven Weiner, M.D., Chair



BEFORE THE NEW MEXICO MEDICAL BOARD

IN THE MATTER OF

**Harold Alexander, MD
License No. 84-3**

Respondent.

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No. 2012-027

AGREEMENT OF STIPULATED LICENSURE

THIS Agreement of Stipulated Licensure is between Harold Alexander, M.D. ("Respondent") and the New Mexico Medical Board ("Board") as follows:

WHEREAS, at a meeting of the Board on May 17, 2012, the Board duly directed staff to issue a Notice of Contemplated Action ("NCA");

WHEREAS, an NCA has not yet been issued by the Board's staff in contemplation of a possible settlement; and

WHEREAS, the Parties have determined it is in their mutual best interests to reach an agreement in lieu of further formal proceedings.

Therefore, in consideration of the forgoing recitals, the parties hereby agree as follows:

1. Respondent is subject to the jurisdiction of the Board pursuant to the Medical Practice Act, NMSA 1978, §§ 61-6-1 through -35, and the New Mexico Medical Board rules and regulations, Title 16, Chapter 10, NMAC.

2. This agreement and stipulation is subject to the approval by the Board. If one or both of the parties rejects this agreement, this matter will result in issuance of an NCA, and if a hearing is requested by Respondent in response to such NCA, be set for

hearing on the merits at a time, and date and place to be determined. If the Board rejects this agreement, the terms of this agreement and any statements made by either party in negotiating this agreement shall not be admitted into evidence at any future hearing.

3. Respondent understands that this Agreement of Stipulated Licensure is made pursuant to NMSA 1978, §61-6-15(B), and Board Rule 16.10.5.15 NMAC. Respondent knows and understands the applicable statutory and regulatory provisions setting forth the authority and power of the Board. Respondent further understands that entering into this Agreement of Stipulated Licensure results in a waiver of his rights under the Uniform Licensing Act, Medical Practice Act, including the right to a hearing and to judicial review on the matters alleged, or to challenge this Stipulated Agreement.

4. Respondent understands that this Agreement of Stipulated Licensure and any subsequent Board Order based on this Agreement will be reported to the National Practitioners Data Bank and/or Healthcare Integrity and Protection Data Bank and are public documents open to public inspection.

5. Respondent admits to injudicious prescribing, administering or dispensing of opiate drugs in violation of §61-6-15(D)26 NMSA 1978, and therefore consents to and agrees to follow the terms and conditions set forth herein.

6. Respondent acknowledges that he is fully cognizant of Board Rule 16.10.14.8 NMAC regarding the prescribing of medicines and/or controlled substances to control chronic pain.

7. Respondent shall not prescribe, administer or dispense opiates or

narcotics unless and until further action by the Board in accordance with paragraph 7, below.

8. The conditions and terms set forth in this agreement and stipulation will remain in effect unless and until removed or amended by the Board. After one (1) year from the service of this order, Respondent may petition the Board to amend this agreement and stipulation.

9. Respondent shall, at all times, comply with all federal, state and local laws and all rules governing the practice of medicine.

10. If the Board has reasonable cause to believe that Respondent has violated any of the terms of this stipulation, the Board may immediately and summarily suspend his license to practice as a physician in New Mexico. A breach of any term of this stipulation shall constitute conduct unbecoming in a person licensed to practice medicine as set forth in NMSA 1978, § 61-6-15(D)(29). The Board shall, as soon as practicable after a summary suspension, issue a Notice of Contemplated Action, and Respondent will be entitled to a formal hearing in accordance with the Uniform Licensing Act, NMSA 1978, §§ 61-1-1 through -33.

11. This stipulation incorporates any and all agreements, covenants and understandings between Parties. No prior agreement or understanding, verbal or otherwise of the Parties or their agents or assignees shall be valid or enforceable unless embodied in this Stipulation.

SO AGREED:

Dated: 8/27/12

Dated: 8/15/12

NEW MEXICO MEDICAL BOARD:

Paul J. Weiner, M.D.
By Steven Weiner, M.D.
Chairman

Harold Alexander, M.D.
Harold Alexander, M.D., Respondent