

**STATE OF TENNESSEE  
DEPARTMENT OF HEALTH**

<b>IN THE MATTER OF:</b>	)	<b>BEFORE THE TENNESSEE BOARD</b>
	)	<b>OF MEDICAL EXAMINERS</b>
<b>ALEX A. S. FIDER, M.D.</b>	)	
<b>RESPONDENT</b>	)	<b>CASE NO: 2008019861</b>
	)	
<b>MURFREESBORO, TENNESSEE</b>	)	
<b>TENNESSEE LICENSE NO. 25776</b>	)	

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**CONSENT ORDER**

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Comes now the Division of Health Related Boards of the Tennessee Department of Health (hereinafter the "Division"), by and through the Office of General Counsel, and Respondent Alex A. S. Fider, M.D. (hereinafter "Respondent"), who would respectfully move the Tennessee Board of Medical Examiners (hereinafter the "Board") for approval of this Consent Order affecting Respondent's medical license in the State of Tennessee.

The Board is responsible for the regulation and supervision of medical doctors licensed to practice in the State of Tennessee. *See Tennessee Medical Practice Act, Tennessee Code Annotated Section (hereinafter "TENN. CODE ANN. §") 63-6-101, et seq.* It is the policy of the Board to require strict compliance with the laws of this State, and to apply the laws so as to preserve the quality of medical care provided in Tennessee. It is the duty and responsibility of the Board to enforce the Tennessee Medical Practice Act in such a manner as to promote and protect the public health, safety and welfare in every practicable way, including disciplining medical doctors who violate the provisions of TENN. CODE ANN. § 63-6-101, *et seq.* or the Rules and Regulations promulgated by the Board and recorded in the Official Compilation Rules and Regulations of the State of Tennessee (hereinafter "TENN. COMP. R. & REGS.").

Respondent Alex A. S. Fider, M.D., by his signature to this Consent Order, waives the right to a contested case hearing and any and all rights to judicial review in this matter. Respondent agrees that presentation to and consideration of this Consent Order by the Board for ratification and all matters divulged during that process shall not constitute unfair disclosure such that the Board or any of its members shall be prejudiced to the extent that requires their disqualification from hearing this matter should this Order not be ratified. Likewise, all matters, admissions and statements disclosed or exchanged during the attempted ratification process shall not be used against Respondent in any subsequent proceeding unless independently entered into evidence or introduced as admissions.

Respondent expressly waives all further procedural steps and expressly waives all rights to seek judicial review of or to challenge or contest the validity of this Consent Order. Respondent understands that by signing this Consent Order, Respondent is allowing the Board to issue its order without further process. Respondent acknowledges that this is a formal disciplinary action and will be reported to the Health Integrity and Protection Data Bank and/ or similar agency. In the event that the Board rejects this Consent Order for any reason, it will be of no force or effect for either party.

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### **I. STIPULATIONS OF FACT**

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1. Respondent has been at all times pertinent hereto licensed by the Board as a medical doctor in the State of Tennessee, having been granted Tennessee medical license number 25776 by the Board on July 28, 1994.
2. On or about March 10, 2008, Respondent entered a plea of guilty to a charge of Reckless Aggravated Assault (a Class D Felony) in the Criminal Court of Marion County,

Tennessee, related to a road rage incident wherein Respondent fired a gun striking another vehicle which contained some children. Pursuant to Respondent's plea of guilty, Respondent was approved for judicial diversion and placed on three (3) years probation.

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## II. GROUNDS FOR DISCIPLINE

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The facts stipulated to in the Stipulations of Fact are sufficient to establish that grounds for discipline of Respondent's medical license exist. Specifically, Respondent has violated the following statutes or rules which are part of the Tennessee Medical Practice Act, (TENN. CODE ANN. § 63-6-101, *et seq.*) for which disciplinary action before and by the Board is authorized:

3. The facts stipulated in paragraphs 1 through 3, *supra*, constitute a violation of TENN. CODE ANN. § 63-6-214(b)(1):

Unprofessional, dishonorable or unethical conduct.

4. The facts stipulated in paragraphs 1 through 3, *supra*, constitute a violation of TENN. CODE ANN. § 63-6-214(b)(10):

Conviction of a felony, conviction of any offense under state or federal drug laws, or conviction of any offense involving moral turpitude.

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## III. POLICY STATEMENT

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The Tennessee Board of Medical Examiners takes this action in order to protect the health, safety and welfare of the citizens of the State of Tennessee.

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#### IV. ORDER

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**NOW THEREFORE**, Respondent, for the purpose of avoiding further administrative action with respect to this cause, agrees to the following:

5. The Tennessee medical license of Alex A. S. Fider, M.D., license number 25776, is hereby placed on **PROBATION** for a period of three (3) years, commencing the date of ratification of this Consent Order
6. Within twelve (12) months of the date of ratification of this Consent Order, Respondent shall enroll in and complete the Living Centered Program offered by Onsite Therapeutic Workshops, as recommended by the Vanderbilt Comprehensive Assessment Program. Respondent shall ensure that, upon completion, a report of his attendance, evaluation and prognosis be submitted by the program to Dr. Larry Arnold, Medical Director, Division of Health Related Boards, 227 French Landing, Suite 300, Heritage Place Metro Center, Nashville, TN 37243.
7. During the term of the probation required herein, Respondent shall submit to the therapeutic services of a treating psychologist or psychiatrist and shall ensure that quarterly reports of his progress are submitted to Dr. Larry Arnold, Medical Director, Division of Health Related Boards, 227 French Landing, Suite 300, Heritage Place Metro Center, Nashville, TN 37243.
8. Respondent shall pay one (1) Type A civil penalty in the amount of one-thousand dollars (\$1,000.00), representing a penalty for one violation of the Tennessee Medical Practice Act.

9. Respondent must pay, pursuant to TENN. CODE ANN. § 63-6-214(k) and Rule 0880-2-.12(1)(j) of the Official Compilation Rules and Regulations of the State of Tennessee, the actual and reasonable costs of prosecuting this case to the extent allowed by law, including all costs assessed against the Board by the Division's Bureau of Investigations in connection with the prosecution of this matter. These costs will be established by an Affidavit of Costs prepared and filed by counsel for the Department. The maximum amount for the assessment of costs shall be two thousand dollars (\$2,000.00).
10. Respondent understands that this is a formal disciplinary action and will be reported to the Health Integrity and Protection Data Bank (H.I.P.D.B.) and/or similar agency.

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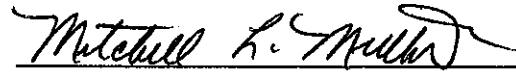
#### V. NOTICE

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11. Any and all civil penalties shall be paid in full within thirty (30) days upon ratification of this Consent Order by submitting a **certified check, cashier's check, or money order** payable to the **State of Tennessee**, which shall be mailed or delivered to: **Disciplinary Coordinator, The Division of Health Related Boards, Tennessee Department of Health, 227 French Landing, Suite 300, Heritage Place Metro Center, Nashville, Tennessee 37243**. A notation shall be placed on said check that it is payable for the civil penalties of Alex A. S. Fider, M.D.
12. Any and all costs shall be paid in full within thirty (30) days from the issuance of the Affidavit of Costs by submitting a **certified check, cashier's check, or money order** payable to the **State of Tennessee**, which shall be mailed or delivered to: **Disciplinary Coordinator, The Division of Health Related Boards, Tennessee Department of Health, 227 French Landing, Suite 300, Heritage Place Metro Center, Nashville,**

**Tennessee 37243.** A notation shall be placed on said check that it is payable for the costs of Alex A. S. Fider, M.D.

This **CONSENT ORDER** was approved by a majority of a quorum of the Tennessee Board of Medical Examiners at a public meeting of the Board and signed this 20<sup>th</sup> day of May, 2009.

  
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Chairperson  
Tennessee Board of Medical Examiners

**APPROVED FOR ENTRY:**



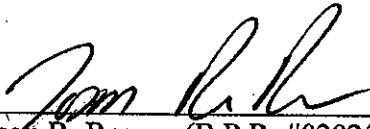
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Alex A. S. Fider, M.D.  
Respondent  
Tennessee License Number 25776  
2819 Black Stallion Court  
Murfreesboro, Tennessee 37130

4/22/09

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DATE



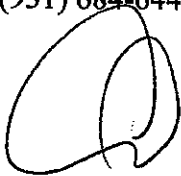
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Jason R. Reeves (B.P.R. #020256)  
117 S. Main Street  
P.O. Box 910  
Shelbyville, Tennessee 37160  
(931) 684-6444

4/21/09

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DATE



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Andrea Huddleston (B.P.R. #016155)  
Assistant General Counsel  
Office of General Counsel  
Tennessee Department of Health  
Plaza 1, Suite 210  
220 Athens Way  
Nashville, Tennessee 37243  
(615) 741-1611

4-23-09

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DATE

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of this document has been served upon Respondent, Alex A.S. Fider, M.D., through Respondent's attorney, Jason R. Reeves, Esq., 117 S. Main Street, P.O. Box 910, Shelbyville, Tennessee 37160, by delivering same in the United States First Class Mail, Postage Pre-Paid, with sufficient postage thereon to reach its destination.

This the 20<sup>th</sup> day of May, 2009.



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Andrea Huddleston  
Assistant General Counsel  
Tennessee Department of Health