[redacted] M.D.

AGENDA ITEM 6
PANEL A

ORAL ARGUMENT ON NON-ADOPTION OF PROPOSED DECISION

[redacted]

90 Days Expires o[redacted]
Administrative Law Judge -[redacted]
Respondent's Attorney -[redacted]
Deputy Attorney General [redacted]

COMMENTS PROVIDED BY PANEL AFTER READING TRANSCRIPT

[redacted]

[redacted] 1) Page 4 of the Petition for Penalty Relief (narrative statement), Petitioner is aloof, does not accept responsibility, and only talks about his loss and hardship.
2) Page 10, line 14, Respondent gives two sentences acknowledging his culpability as an error in judgment. He then explains for the next six pages how he has been harmed, not once talking about how he harmed his patient.
3) On cross-examination (page 17), Respondent shows that he has not taken any action to restore his privileges or standing with insurance carriers. He has not shown that the suspension is the reason that he does not make enough money. Dr. [redacted] wants to end probation early to clear his name, not to serve his community.
4) Page 19 - Respondent knew what he was doing was wrong and a violation of the Medical Practice Act. He said that "she knew it was wrong, and she sort of, you know, convinced me to take care of her," shifting blame to the victim (lines 18-20). He admits on lines 23 & 24 that he should have sent her to a colleague but he did not do so.
5) Page 20, Dr. [redacted] shifts blame to lack of medical school training and a borderline personality disorder.
6) Page 21, Dr. [redacted] now shifts blame to dating difficulties following his divorce.
7) Page 3 of Proposed Decision. Judge [redacted] notes that Petitioner has paid personal and professional costs of his actions. There is no evidence that the respondent even understands how he harmed his patient and profession anywhere on the transcript, the Petition, or the Proposed Decision.

[redacted]