

**SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING, AND REGULATION
BEFORE THE STATE BOARD OF MEDICAL EXAMINERS FOR SOUTH CAROLINA**

In the Matter of:

DARRYL MATTHEW SUGAR
License No.: MMD.21529

Respondent.

Case No.: 2010-2

**REINSTATEMENT ORDER
(Public)**

This matter came before the State Board of Medical Examiners for South Carolina (Board) for hearing on November 5, 2013, pursuant to the request of the above named respondent (Respondent) for reinstatement of Respondent's suspended medical license. A quorum of Board members was present.

Suzanne Hawkins, Assistant Agency Counsel, represented the State. The Respondent appeared, and was not represented by counsel.

After consideration of the evidence, the Board voted to reinstate Respondent's license subject to the conditions stated in this order.

FINDINGS OF FACT

Based upon the preponderance of the evidence on the whole record, the Board finds the facts of the case to be as follows:

1. Respondent was duly licensed as a physician in South Carolina under license number MMD.21529 at all times relative to these complaints. Respondent was first licensed by the Board in February 2000. Respondent's current credential status with the Board is suspended.
2. On January 8, 2010, Respondent was served with an Order of Temporary Suspension.
3. Respondent pled guilty to malicious injury to property, \$2,000 or less, on December 15, 2011, and was sentenced to time served and \$130 in costs.
4. Respondent is currently living in New Mexico.
5. Respondent appeared before the Board for hearing on February 4, 2013, regarding the January, 2010 Order, at which time the Board continued the suspension until further order of the Board. That decision is documented in a Final Order dated March 7, 2013.
6. An RPP representative testified that Respondent has been compliant with RPP since 2008.

CONCLUSIONS OF LAW

In a hearing for reinstatement, the burden of proof is on the Petitioner to provide new or additional evidence that a release from the previous judgment by the Board is appropriate. Respondent provided persuasive evidence of sufficient positive changes to justify a conditional reinstatement.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED that Respondent's license is reinstated subject to the following conditions.

1. Respondent's treating psychiatrist must be proximate to Respondent's practice site and shall be satisfactory to the Board. The treating psychiatrist must provide quarterly reports to the Board.
2. The initial quarterly report of Respondent's treating psychiatrist must be reviewed by and acceptable to the Board before Respondent is reinstated.
3. Respondent must remain enrolled in and compliant with the requirements of the South Carolina Recovering Professionals Program.
4. Respondent must be accepted into and successfully complete a Board-approved one year medical education training program. If Respondent fails to successfully complete the program within 18 months of the effective date of this order, Respondent's license shall be automatically suspended.
5. The Board must approve any practice site of Respondent in South Carolina.

AND IT IS SO ORDERED.

STATE BOARD OF MEDICAL EXAMINERS

BY: Louis E. Costa II, DMD, MD
Louis E. Costa II, DMD, MD
President of the Board

January 15, 2014.