

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:)
)
Margaret Kelly Burkhead, M.D.,) CONSENT ORDER
)
Respondent.)

This matter is before the North Carolina Medical Board ("Board") regarding information provided to the Board concerning Margaret Kelly Burkhead, M.D. ("Dr. Burkhead"). Dr. Burkhead makes the following admissions and the Board makes the following findings and conclusions:

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 to it in Article 1 of Chapter 90 of the North Carolina General Statutes and the rules and regulations promulgated thereto.

FINDINGS OF FACT

Dr. Burkhead was first issued a license to practice medicine by the Board on or about May 18, 2007, license number 2007-00808.

At all times relevant hereto, Dr. Burkhead practiced family medicine in Raleigh, North Carolina. Dr. Burkhead has a history of alcohol use disorder and on December 11, 2015, entered into a

Consent Order with the Board whereby her license was indefinitely suspended.

Dr. Burkhead participated and was fully compliant with the North Carolina Physicians Health Program ("NCPHP"). NCPHP advocated for her safety to practice and on June 2, 2016, the Board and Dr. Burkhead entered into a Consent Order whereby her license was reinstated. Dr. Burkhead was required to maintain and abide by her NCPHP contract.

As part of her NCPHP contract, Dr. Burkhead was required to refrain from the use or possession of alcohol and all other mind- or mood-altering substances and submit to random screens.

Dr. Burkhead briefly returned to alcohol use in September 2018. When confronted by NCPHP with its suspicion she was drinking, Dr. Burkhead sought and completed treatment.

On September 25, 2018, Dr. Burkhead signed a Non-Practice Agreement with the Board.

On December 7, 2018, Dr. Burkhead requested that her license be made inactive.

CONCLUSIONS OF LAW

Dr. Burkhead acknowledges that, when abusing alcohol, as she is unable practice medicine with reasonable skill and safety to patients, within the meaning of N.C. Gen. Stat. § 90-14(a)(5) and grounds exist under this section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition or

limit Dr. Burkhead's to practice medicine or to deny any application she might make in the future.

PROCEDURAL STIPULATIONS

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

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

Dr. Burkhead, with the advice of legal counsel, acknowledges that she has read and understands this Consent Order and enters into it voluntarily.

Dr. Burkhead desires 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. Burkhead's consent, it is ORDERED that:

1. Dr. Burkhead's North Carolina license to practice medicine is hereby INDEFINITELY SUSPENDED.

2. Dr. Burkhead shall obey all laws. Likewise, she shall obey all rules and regulations involving the practice of medicine.

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

4. Upon request, Dr. Burkhead shall provide the Board with any information the Board deems necessary to verify compliance with the terms and conditions of this Consent Order.

5. If Dr. Burkhead fails to comply with any of the terms of this 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 or revoke her license to practice medicine and to deny any application she might make in the future or then have pending for a license to practice medicine.

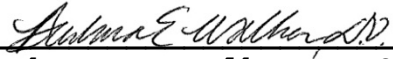
6. This Consent Order shall take effect immediately upon its execution by both Dr. Burkhead and the Board, and it shall continue in effect until specifically ordered otherwise by the Board.

7. Dr. Burkhead hereby waives any requirement under any law or rule that this Consent Order be served on her.

8. Upon execution by Dr. Burkhead and the Board, this 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 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 31st
day of May, 2019.

NORTH CAROLINA MEDICAL BOARD

By: 
Barbara E. Walker, D.O.
President

Consented to this the 23 day of May, 2019.

MKB

Margaret Kelly Burkhead, M.D.

State of NORTH CAROLINA

County of JOHNSTON

I, Hannah Large, do hereby certify that Margaret Kelly Burkhead, 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 23 day of MAY, 2019.

Hannah Large
Notary Public



My Commission Expires: 2/21/24