

BEFORE THE MEDICAL LICENSING
BOARD OF INDIANA
CAUSE NO. 2015 MLB 0009

IN THE MATTER OF THE LICENSE OF:)
)
ANTHONY V. DALLAS, M.D.)
)
LICENSE NO. 01065215A)



CORRECTED FINAL ORDER ACCEPTING PROPOSED SETTLEMENT

AGREEMENT

The State of Indiana (“Petitioner”), by the Office of the Attorney General, by Deputy Attorney General Amelia A. Hilliker, and Anthony V. Dallas, M.D. (“Respondent”), by counsel, Charles K. Grant, signed a Proposed Settlement Agreement (“Agreement”), filed August 17, 2015, which purports to resolve all issues involved in the action by Petitioner and the Medical Licensing Board of Indiana (“Board”) regarding Respondent’s license, and which Agreement has been submitted to the Board for approval.

The Board, after reviewing the Agreement at the August 27, 2015, meeting held in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana 46204, now finds that it has been entered into fairly and without fraud, duress, or undue influence, and is fair and equitable between the parties. The Board hereby incorporates the Agreement, which is attached hereto and incorporated herein as **Exhibit A**, and approves and adopts in full the Agreement as a resolution of this matter. The Board approves this Agreement by a vote of 4-0-0. Incorporated into the Agreement was the consensus of both parties to Findings of Fact, Conclusions of Law, and Order.

WHEREFORE, the Board hereby accepts and approves the Agreement, settling all issues in this case consistent with the terms of the Agreement between the parties, and

Respondent is hereby **ORDERED** to abide by the terms of the Agreement as set forth below:

ORDER

1. Respondent's license shall be placed on **INDEFINITE PROBATION**, with no right to petition for withdrawal of the probationary status until any and all of Respondent's other medical licenses are free and clear, included, but not limited to, those in Mississippi, Kentucky, Alabama, and Maryland.

2. Within ninety (90) days of this Order, Respondent shall pay a **FINE** in an amount of **ONE THOUSAND DOLLARS (\$1,000.00)**¹ payable to the **Indiana Professional Licensing Agency** by check or money order, and submitted to the following address:

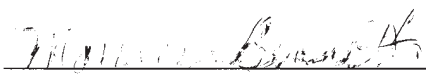

Medical Licensing Board of Indiana
402 W. Washington Street, Room W072
Indianapolis, Indiana 46204

3. Within thirty (30) days of this Order, Respondent shall, pursuant to Ind. Code § 4-6-14-10 (b), pay a **FEE** of **FIVE DOLLARS (\$5.00)** to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be paid by check or money order made payable to the **State of Indiana**, and submitted to the following address:

Indiana Office of the Attorney General
Attn: Kathy Shively
302 West Washington Street, 5th Floor
Indianapolis, IN 46204

SO ORDERED, this 1st day of October, 2015.

MEDICAL LICENSING BOARD OF INDIANA

By: 
 Kirk Masten, D.O., President
Medical Licensing Board of Indiana

¹ The previous Order issued September 23, 2015 erroneously listed the fine as \$5,000.00.

CERTIFICATE OF SERVICE

I certify that a copy of the "Final Order Accepting Proposed Settlement Agreement" has been duly served upon:

Charles K. Grant
Attorney for Respondent
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
Baker Donelson Center, Suite 800
211 Commerce Street
Nashville, TN 37201
Service by US Mail

Dr. Anthony Dallas
5141 Virginia Way, Suite 350
Brentwood, TN 37027
Service by US Mail

Amelia A. Hilliker
Deputy Attorney General
Office of the Indiana Attorney General
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis, IN 46204
Service by Email

10-1-15
Date

Donna Moran
Donna Moran, Litigation Specialist

Medical Licensing Board of Indiana
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2060
Email: pla3@pla.in.gov

Explanation of Service Methods

Personal Service: by delivering a true copy of the aforesaid document(s) personally.

Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.

Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.

BEFORE THE MEDICAL LICENSING BOARD OF INDIANA

CAUSE NO. 2015 MLB 0009

IN THE MATTER OF THE LICENSE OF)

ANTHONY V. DALLAS, M.D.)

LICENSE NO. 01065215A)



PROPOSED SETTLEMENT AGREEMENT

The State of Indiana ("Petitioner"), by Amelia A. Hilliker, Deputy Attorney General, and Anthony V. Dallas, M.D. ("Respondent"), by counsel, Charles K. Grant, hereby execute this Settlement Agreement ("Agreement") to a disposition of the Complaint filed in this cause. This Agreement is subject to the review and approval of the Medical Licensing Board of Indiana ("Board") pursuant to Ind. Code ch. 25-1-9 and Ind. Code ch. 4-21.5-3.

STIPULATED FACTS

1. Respondent is a licensed medical doctor in the State of Indiana having been issued Indiana license number 01065215A on April 30, 2008.
2. Respondent's address on file with the Medical Licensing Board of Indiana ("Board") is 119 Cumberland Place, Hendersonville, Tennessee 37075.
3. In June of 2013, the Mississippi State Board of Medical Licensure ("Mississippi Board") initiated an investigation into Respondent's prescribing practices after Respondent was discovered to be associated with a part-time clinic in Forest, Mississippi. Respondent had been identified as the medical director of the facility and the "back-up" collaborating physician for an advanced practice registered nurse ("APRN") working at that location; however, during that time, Respondent was reporting to the Mississippi Board that he resided in Nashville, Tennessee and was not practicing medicine in Mississippi.

Exhibit A

4. In the year prior to the investigation, Respondent had not personally examined patients at the clinic, did not personally dispense medications to patients at the location, and only visited the clinic on one (1) occasion, staying only a day or less.

5. Although Respondent had not obtained a DEA registration for the State of Mississippi (as required by both state and federal law), Respondent ordered controlled substances using his Mississippi license number and had them shipped to clinic in Forest, Mississippi.

6. On September 4, 2014, the Mississippi Board entered a Consent Order finding that Respondent had dispensed, administered, or prescribed controlled substances outside the course of a legitimate medical practice and had engaged in conduct deemed as dishonorable or unethical and likely to deceive, defraud, or harm the public.

7. The Consent Order suspended Respondent's Mississippi license for three (3) months and directed a one (1) year probationary period following the reinstatement of his license. Among the terms of the probation, Respondent was required to complete continuing medical education in medical ethics and the prescribing of controlled substances; successfully pass the Mississippi Board's Juris Prudence Examination; and pay a fine of ten thousand dollars (\$10,000).

8. On December 8, 2014, the Kentucky Board of Medical Licensure ("Kentucky Board") entered an Agreed Order directing that Respondent's Kentucky medical license be declared Restricted/Limited for an indefinite period. The Agreed Order required Respondent to pay a fine of five thousand dollars (\$5000) and adhere to all the conditions imposed upon his Mississippi medical license.

9. On January 14, 2015, the North Carolina Medical Board ("North Carolina Board") issued a Public Letter of Concern admonishing Respondent's unprofessional conduct as a physician and addressing the consequential disciplinary action taken against his Mississippi medical license.

10. On January 23, 2015, based on the discipline of Respondent's Mississippi license, the Alabama State Board of Medical Examiners ("Alabama Board") entered a Stipulation and Consent Order placing Respondent's Alabama medical license on probation for one (1) year.

11. On February 5, 2015, the Maryland State Board of Physicians ("Maryland Board") entered a Consent Order based on the disciplinary actions taken against Respondent's Mississippi medical license. The Consent Order suspended Respondent's Maryland medical license for three (3) months and ordered that upon reinstatement Respondent's Maryland license would be subject to a one (1) year probationary period.

12. The underlying facts of the disciplinary actions described above would be grounds for discipline in the State of Indiana under Indiana Code § 25-1-9-4(a)(3) for violating a rule or statute regulating his profession and under Indiana Code § 25-1-9-4(a)(1)(B) for engaging in fraud or material deception in the course of professional services or activities.

STIPULATED CONCLUSIONS OF LAW

The parties further stipulate:

1. Respondent's conduct as described above constitutes a violation of Indiana Code § 25-1-9-4(a)(7) in that Respondent has had disciplinary action taken against his license to practice in another state or jurisdiction on grounds similar to those subject to discipline in Indiana as evidenced by the Consent Order issued by the Mississippi Board on September 4, 2014 suspending Respondent's Mississippi medical license for three (3) months and ordering a one (1) year probationary period upon reinstatement.

2. Respondent's conduct as described above constitutes a violation of Indiana Code § 25-1-9-4(a)(7) in that Respondent has had disciplinary action taken against his license in another state or jurisdiction on grounds similar to those subject to discipline in Indiana as

evidenced by the Agreed Order issued by the Kentucky Board on December 8, 2014 placing Respondent's license on Restricted/Limited status.

3. Respondent's conduct as described above constitutes a violation of Indiana Code § 25-1-9-4(a)(7) in that Respondent has had disciplinary action taken against his license in another state or jurisdiction on grounds similar to those subject to discipline in Indiana as evidenced by the Public Letter of Concern issued against Respondent by the North Carolina Board on January 14, 2014.

4. Respondent's conduct as described above constitutes a violation of Indiana Code § 25-1-9-4(a)(7) in that Respondent has had disciplinary action taken against his license to practice in another state or jurisdiction on grounds similar to those subject to discipline in Indiana as evidenced by the Alabama Board's January 23, 2015 Stipulation and Consent Order placing Respondent's license on probation for one (1) year.

5. Respondent's conduct as described above constitutes a violation of Indiana Code § 25-1-9-4(a)(7) in that Respondent has had disciplinary action taken against his license to practice in another state or jurisdiction on grounds similar to those subject to discipline in Indiana as evidenced by the Consent Order entered on February 5, 2015 by the Maryland Board suspending Respondent's Maryland medical license for three (3) months and ordering a one (1) year probationary period upon reinstatement.

AGREED DISPOSITION

The parties agree to the following disposition:

1. The Board has jurisdiction over Respondent and the subject matter in this disciplinary action.
2. The parties execute this Agreement voluntarily.

3. Both parties voluntarily waive their rights to a public hearing on the Complaint and all other proceedings in this action to which either party may be entitled by law, including judicial review and appeal.

4. Petitioner agrees that the terms of this Agreement will resolve any and all pending claims or allegations relating to disciplinary action against the Respondent's Indiana medical license.

5. Respondent's license shall be placed on **INDEFINITE PROBATION**, with no right to petition for withdrawal of the probationary status until any and all of Respondent's other medical licenses are free and clear, included, but not limited to, those in Mississippi, Kentucky, Alabama, and Maryland.

6. Respondent shall pay a **FINE** in an amount to be determined by the Board, but not to exceed one thousand dollars (\$1,000.00) per violation, within ninety (90) days from the date of the order accepting this settlement.

7. Within thirty (30) days of the date of the Board's Final Order accepting this Agreement, Respondent shall, pursuant to I.C. § 4-6-14-10 (b), pay a fee of Five Dollars (\$5.00) to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be paid by check or money order made payable to the State of Indiana, and submitted to the following address:


Indiana Office of the Attorney General
Attn: Kathy Shively
302 West Washington Street, 5th Floor
Indianapolis, IN 46204

8. Respondent has carefully read and examined this Agreement and fully understands its terms and that, subject to a final order issued by the Board, this Agreement is a final disposition of all matters and not subject to further review.

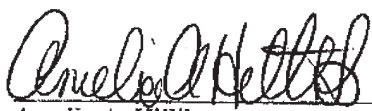
9. Respondent further understands that a violation of the Final Order accepting this Agreement, any non-compliance with the statutes or regulations regarding the practice of medicine, or any violation of the Settlement Agreement may result in the State requesting an emergency suspension of the Respondent's license, an Order to Show Cause as may be issued by the Board, or a new cause of action pursuant to I.C. § 25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of Respondent's license.


Anthony V. Dallas

8-6-2015
Date


Charles K. Grant
Counsel for Respondent

8/13/2015
Date


Amelia A. Hilliker
Deputy Attorney General

8-17-15
Date