GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HEALTH
HEALTH PROFESSIONAL LICENSING ADMINISTRATION
BOARD OF MEDICINE

IN RE:

Kimberly M. Walker, M.D.

Respondent

CONSENT ORDER

Jurisdiction

Background

Respondent has submitted an application for reinstatement of her license to practice medicine in the District.

On October 26, 2006, while in residency at St. Peters University Hospital, New Brunswick, New Jersey, the Respondent took a loaded handgun into the hospital, pointed it at the hospital security guard and pulled the trigger several times. The gun did not discharge. She was arrested and charged with attempted murder and other crimes. She was then admitted into the Anne Klein Forensic Center, where she admitted severe paranoid symptoms. Three forensic examiners diagnosed her, each with a different diagnosis: Bipolar, Type II with Psychotic Features; Schizoaffective, Bipolar Type; and Schizoaffective, Bipolar Type with a differential diagnosis of Schizophrenia, Paranoid Type. On February 29, 2008, she was found Not Guilty by Reason of Insanity. She was released from custody on condition that she continue her mental health treatment.

After a further period of evaluation, the Respondent was determined to be not in need of further institutionalization and was freed with conditions. Before her final court action, the Respondent had referred herself to the Washington Hospital Center, Psychiatry/Outpatient Unit (WHC) for treatment of her condition. The conditions imposed by the Superior Court of New Jersey, Middlesex County were as follows: (1) continue mental health treatment at WHC, including therapy and medication, for ten (10) years; (2) report to WHC and such court designated agency for supervision of compliance; (3) cooperate with release of treatment related information to the Court; and, (4) WHC and Court designated agency shall report any violations to the Court and the prosecutor. The Respondent has continued faithfully and
cooperated fully in her treatment regimen to the point that it was noted that it is possible for her to maintain a life without further psychotic episodes.

The Respondent applied for a medical license with the Board on February 9, 2011. After meeting with the Board on August 9, 2012, the Board voted to have the Respondent undergo a clinical skills assessment at a Board-approved program. The Respondent entered into the LifeGuard Program in Harrisburg, Pennsylvania, and on April 8, 2013, the Board received a report from the program that she had successfully completed the program.

On February 26, 2013, the Respondent entered into a Consent Order with the Maryland State Board of Physicians where she was granted a license with terms and conditions. Following the July 11, 2013 D.C. Board meeting, the Board voted to grant the Respondent a license subject to the terms and conditions of this Consent Order.

Conclusions of Law

The D.C. Board is authorized under the HORA to grant or reinstate a license under D.C. Official Code § 3-1205.14(a)(3).

The HORA provides, in pertinent part,

Each board, subject to the right of a hearing as provided by this subchapter, on an affirmative vote of a quorum of its appointed members may take one or more of the disciplinary actions...against any person permitted by this subchapter to practice a health occupation regulated by the board in the District who is convicted or disciplined by a court of any jurisdiction for conduct that would be grounds for disciplinary action under this section.

The Board concludes, as a matter of law, that Respondent now meets the eligibility criteria for licensure under the HORA.
ORDER

Based on the foregoing, it is this 31st day of July, 2013, by the District of Columbia Board of Medicine, it is hereby ORDERED that:

1. Respondent’s medical license in the District of Columbia is granted subject to the terms and conditions listed below upon the effective date of this Consent Order and upon payment of the licensure fee;

2. Prior to beginning active clinical practice in the District of Columbia, and in view of Respondent’s lack of clinical experience to date, the Respondent shall initially only obtain professional employment in such positions as may be approved by the Board in which she shall be directly and closely monitored and supervised at all times in her work environment by a supervisor who is fully aware of her mental health, legal and professional history. The supervisor must agree to and shall be required to provide regular vocational reports on her overall performance and stress management, and shall provide reports to the Board on at least a quarterly basis. The Respondent shall be responsible for submitting a copy of the supervising agreement between herself and the Board-approved supervising physician. In the event the supervising physician is unable or unwilling to act as the Respondent’s supervisor, the Respondent will be responsible for notifying the Board immediately and finding a new individual approved by the Board to supervise Respondent’s practice. The Respondent shall meet with the supervising physician on a bi-weekly basis and cause a quarterly assessment report to be submitted to the Board by her, which shall include, among other things, whether the Respondent’s practice is consistent with the standards of practice and competency in her field during the supervisory period. The Respondent
shall continue her supervised clinical supervised practice until such time as she receives notification from the Board that this requirement has been terminated. The Respondent may not practice medicine until the Board has approved her prospective employment in writing;

3. The Respondent shall enter and remain in a Board-monitored Rehabilitation Agreement with the Maryland Professional Rehabilitation Program (MPRP) or such other rehabilitation program as may be approved by the D.C. Board (collectively "Approved Program") and shall comply with all terms and requirements of such Approved Program;

4. Within ten (10) business days of the date the Board executes this Consent Order, the Respondent shall sign any consent forms authorizing the release of records to the Board and to the Approved Program, and the Respondent shall update those releases as required by the Board. Specifically, the Respondent shall sign any written consent forms authorizing the release of records by the Approved Program to the Board and also authorizing the Approved Program to make verbal and written disclosures to the Board, including disclosure of any and all records and files and confidential drug and alcohol abuse information about the Respondent. The Respondent shall also sign any written consent forms required by the Approved Program or the Board to authorize the Approved Program to exchange with (i.e., disclose to and receive from) outside entities (including all of the Respondent's therapists and treatment providers) verbal and written information about her, including confidential drug and alcohol abuse information. These requirements include any consent forms necessary to authorize the Board and the Approved Program to receive written reports from any treatment
providers. All reports and records that need to be submitted shall be sent to Lisa Robinson, Licensing Specialist, Board of Medicine, 899 North Capitol Street, NE, 2nd Floor, Washington, D.C. 20002;

5. The Respondent shall be assessed and evaluated on an ongoing basis and continue to meet with her treatment providers at least monthly until such time as there is agreement that a reduction in her treatment is clinically appropriate and best serves the goals of maximizing her overall health and stability and protecting herself, her colleagues, her patients and the general public;

6. The Respondent shall continue her psychiatric treatment, shall take all medications as prescribed and shall undergo regular monitoring and verification, through direct witnessing or random toxicology screenings, of her compliance with her medication regimen;

7. The Respondent shall undergo regular monitoring, including chemical screening, for abstinence from alcohol, controlled dangerous substances, or other drugs, as recommended by the Approved Program. The Respondent shall be responsible for assuring that any treatment providers submit written reports to the Approved Program and to the Board at least once every three months regarding her attendance, progress, medications (and dosages) prescribed, and her compliance with the prescribed medication regimen. The Board reserves jurisdiction, in connection with any request to terminate this monitoring and supervision requirement, to meet with the Respondent to consider whether any additional conditions or restrictions on Respondent’s license are necessary to protect the public;
8. The Respondent shall not write prescriptions for any controlled dangerous substances, without the further written authorization of the Board. The Respondent shall not own, possess, carry or use any firearm;

9. This is a public disciplinary action reportable to the National Practitioner Data Bank;

10. The Respondent shall comply with all laws and regulations governing medical practice in the District of Columbia;

11. The Respondent shall be responsible for all costs associated with fulfilling the terms and conditions of this Consent Order; and

12. If the Respondent fails to satisfactorily fulfill the terms of the Consent Order, the Board may issue a notice to take formal disciplinary action against Respondent's license.

7.31.13
Date

Janis M. Orlowski, M.D., MACP
Chairperson
District of Columbia Board of Medicine

Page 7 of 9
CONSENT OF RESPONDENT

- My signature on the foregoing Consent Order signifies my acceptance of the terms and conditions of the Consent Order and my agreement to be bound by its provisions. (initial)

- I acknowledge the validity of this Consent Order, as if made after a hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my behalf, and to all other substantive and procedural due process protections provided by the laws of the District of Columbia and the United States of America. (initial)

- I also recognize that I am waiving my right to appeal any adverse ruling of the Board had this matter gone to a hearing. (initial)

- I expressly acknowledge that by signing this Consent Order, I am voluntarily waiving my right to require the Board to charge me through a notice of intent to take disciplinary action with a violation of this agreement and to require the government to prove such violation by a preponderance of the evidence before suspending my license based upon the failure to satisfactorily fulfill the terms of the Consent Order. (initial)

- I also expressly acknowledge by signing this Consent Order, I am waiving my right to confront witnesses, give testimony, to call witnesses on my behalf, and to other substantive and procedural due process protections provided by the laws of the District of Columbia and the United States of America. (initial)

- I further expressly acknowledge that by signing this Consent Order, I am waiving my right to appeal this Consent Order, as well as waiving any and all rights, whatsoever, I would have to challenge or appeal that Board's decision to suspend my license based on the failure to satisfactorily fulfill the terms of the Consent Order. (initial)
• I acknowledge that in the event that the Board suspends my license based on the failure to satisfactorily fulfill the terms of the Consent Order, my sole remedy and recourse will be to respond within the time period set forth in this Consent Order with proof of my compliance and that if I fail to do so, my sole remedy and recourse will be to comply with the terms of this Consent Order to the satisfaction of the Board. (initial)

• I have had an opportunity to review this document and to consult with my own legal counsel. I choose willingly to sign this Consent Order, and I understand its meaning and effect. (initial)

_7/24/13_  
Date

Kimberly M. Walker, MD

THIS CONSENT ORDER SHALL BE DEEMED A PUBLIC DOCUMENT AND SHALL BE DISTRIBUTED AS APPROPRIATE.

on this 24th day of July 2013, Ms Kimberly Walker appeared before me with valid ID and signed in my presence.

_7/24/13_