

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:)
)
Sharon Raynes Halliday, M.D.,) INTERIM
) NON-PRACTICE AGREEMENT
)
Respondent.)

This matter is before the North Carolina Medical Board ("Board") on information regarding Sharon Raynes Halliday, M.D. ("Dr. Halliday"). Dr. Halliday 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

At all times relevant hereto, Dr. Halliday practiced addiction psychiatry in North Carolina with a medical school faculty license ("MSFL").

The MSFL law, N.C. Gen. Stat. § 90-12.3, provides:

(a) The Board may issue a medical school faculty license to practice medicine and surgery to a physician who:

(1) Holds a full-time appointment as either a lecturer, assistant professor, associate professor, or full professor at one of the following medical schools:

- a. Duke University School of Medicine;
- b. The University of North Carolina at Chapel Hill School of Medicine;
- c. Wake Forest University School of Medicine; or
- d. East Carolina University School of Medicine; and

(2) Is not subject to disciplinary order or other action by any medical licensing agency in any state or other jurisdiction.

(b) The holder of the medical school faculty license issued under this section shall not practice medicine or surgery outside the confines of the medical school or an affiliate of the medical school. The holder of the medical school faculty license practicing medicine or surgery beyond the limitations of the license shall be guilty of a Class 3 misdemeanor and, upon conviction, shall be fined not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) for each offense. The Board, at its discretion, may revoke the special license after due notice is given to the holder of the medical school faculty license.

(c) The Board may adopt rules and set fees related to issuing medical school faculty licenses. The Board may, by rule, set a time limit for the term of a medical school faculty license. (2007-418, s. 7.)

The limitation and scope of a MSFL is defined in 21 NCAC 32B .1501, Scope of Practice Under Medical School Faculty License, which provides:

A physician holding a Medical School Faculty License may practice only within the confines of the medical school or its affiliates. "Affiliates" means the primary medical school hospital(s) and clinic(s), as designated by the ACGME.

Simply stated, in order for a physician to practice medicine in North Carolina with a MSFL, (a) they must have a full-time appointment at one of North Carolina's medical schools and (b) they must limit and restrict their practice to the medical school where they hold a full-time appointment or one of the medical school's affiliates.

Dr. Halliday was issued a MSFL by the Board on May 15, 2015. The Board granted Dr. Halliday's MSFL based on a Verification of Appointment letter received from Duke University School of Medicine ("Duke Medical School") indicating that Dr. Halliday received a full-time appointment at the Duke Medical School Department of Medicine. Dr. Halliday could only use her MSFL to practice medicine in North Carolina (a) as long as she held a Duke Medical School full-time appointment and (b) she could only practice at Duke Medical School or a Duke Medical School affiliate.

Dr. Halliday renewed her MSFL with the Board on August 5, 2015, July 2, 2016, and August 18, 2017. All three times Dr. Halliday renewed her MSFL, she represented the following:

I certify that I remain eligible for continued medical school faculty limited licensure, that I have a full time faculty appointment at a North Carolina medical school, and that I am limiting my practice to the

confines of my employment as a member of the medical school faculty.

On or about May 21, 2018, the Board received information that Dr. Halliday may have practiced medicine outside the limited scope of her MSFL. The Board is currently investigating this. As part of this ongoing investigation, the Board discovered that Dr. Halliday is a signatory to an affiliation agreement with Duke Medical School, but the affiliation agreement is between Duke Medical School and an inappropriate corporate entity.

On or about May 21, 2018, the Board also received information that Dr. Halliday's appointment at Duke Medical School had been terminated effective May 16, 2018. Dr. Halliday contested this appointment termination and it was reinstated by Durham County Superior Court Justice Orlando F. Hudson, Jr. on June 8, 2018. However, Dr. Halliday's appointment termination was eventually upheld by Durham County Superior Court Justice John W. Smith on June 27, 2018.

Dr. Halliday cannot currently practice medicine with her MSFL because she does not have a full-time appointment as specified in N.C. Gen. Stat. § 90-12.3. Further, Dr. Dr. Halliday cannot practice medicine with her MSFL because there is currently no medical school or affiliate where she can practice medicine as specified in N.C. Gen. Stat. § 90-12.3.

Dr. Halliday is currently working on obtaining another appointment at a North Carolina medical school and an appropriate place where she can practice with that appointment. If that happens, Dr. Halliday intends on presenting that information to the Board and asking that the Board dissolve this Interim Non-Practice Agreement. It is expressly understood that the Board is under no obligation to dissolve this Interim Non-Practice Agreement.

CONCLUSIONS OF LAW

Dr. Halliday admits that she cannot practice medicine with a MSFL unless she meets all the requirements of N.C. Gen. Stat. § 90-12.3.

PROCEDURAL STIPULATIONS

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

Dr. Halliday acknowledges that she has read and understands this Interim Non-Practice Agreement and enters into it voluntarily.

ORDER

Now, therefore, with Dr. Halliday's consent, it is ORDERED that:

1. Dr. Halliday agrees that she will not practice medicine until such time as she is given permission to do so by the Board

President which requires dissolving this Interim Non-Practice Agreement. The Board President is under no obligation to dissolve this Interim Non-Practice Agreement.

2. It is further agreed that the Board may take future action against Dr. Halliday's MSFL, if such action is warranted, based on the results of the Board's current and ongoing investigation.

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

4. Dr. Halliday shall notify the Board in writing of any change in her residence or practice addresses within ten (10) days of the change.

5. If Dr. Halliday fails to comply with any provision of this Interim Non-Practice Agreement, such 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, revoke, condition or limit Dr. Halliday's medical license or to deny any application she might make in the future or then have pending for a license.

6. This Interim Non-Practice Agreement shall take effect immediately upon its execution by both Dr. Halliday and the Board, and it shall continue in effect until specifically ordered otherwise by the Board or Board President.

7. Dr. Halliday hereby waives any requirement under any law or rule that this Interim Non-Practice Agreement be served on her.

8. Upon execution by Dr. Halliday and the Board, this Interim Non-Practice Agreement 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. It will be reported to the Federation of State Medical Boards and any other databanks required by law including, but not limited to, the National Practitioner Data Bank.

By Order of the North Carolina Medical Board this the 13th day of July, 2018.

NORTH CAROLINA MEDICAL BOARD

By: 

Timothy E. Lietz, M.D.
President

Consented to this the 12th day of July, 2018.

Halliday
Sharon Raynes Halliday, M.D.

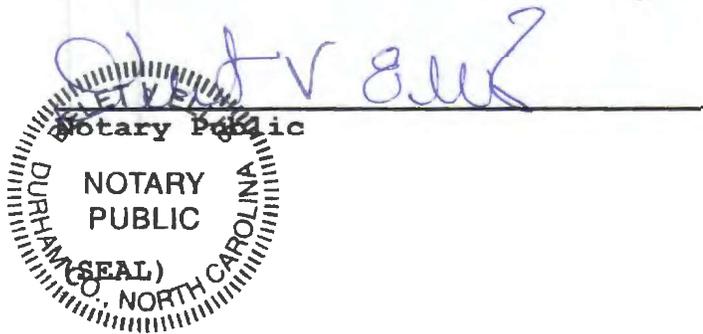
State of NORTH CAROLINA

County of Durham

I, Delet V Ellis, a Notary Public for the above-named County and State, do hereby certify that Sharon Raynes Halliday, 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 12th day of July, 2018.



My Commission expires: July 21st 2018