

BEFORE THE ALABAMA STATE BOARD OF MEDICAL EXAMINERS

ALABAMA STATE BOARD OF)
MEDICAL EXAMINERS,)
)
Complainant,)
)
v.)
)
)
WILLIAM MEYER RODDY, D.O.,)
)
Respondent.)

CASE NO.: 2023-12

ORDER TO SHOW CAUSE

This Order to Show Cause is directed to WILLIAM MEYER RODDY, D.O. (“Respondent”), pursuant to the authority of Ala. Code § 34-24-361(g) and Ala. Admin. Code R. 540-X-5-.05. A hearing will be conducted at **11:00 a.m. on Thursday, August 17, 2023**, at the office of the Alabama State Board of Medical Examiners (“the Board”), 848 Washington Avenue, Montgomery, Alabama. Respondent is ORDERED AND DIRECTED to appear before the Board at the time and place stated above and to show cause, if there be any, why his application for reinstatement of his Certificate of Qualification (“COQ”) to practice medicine or osteopathy should not be denied. As grounds for denial, the Board states as follows:

JURISDICTION

1. Respondent was duly licensed to practice medicine or osteopathy in the state of Alabama on August 7, 1997, having been issued license number DO.541. After an investigation by the Board and the filing of an administrative complaint with the Medical Licensure Commission of Alabama (“the Commission”), he voluntarily surrendered his license on August 29, 2018. Respondent applied for reinstatement of his COQ on November 17, 2020; however, Respondent moved to dismiss his reinstatement application on September 9, 2021, citing health concerns. The

Board dismissed his application without prejudice on September 13, 2021. On or about October 28, 2022, Respondent again applied for reinstatement of his COQ. The Board has jurisdiction under Ala. Code § 34-24-361(g) and Chapter 540-X-5-.05 of the Administrative Rules of the Board.

FACTS

2. On or about November 19, 2014, after consideration of an investigative report, the Board voted to invite Respondent to an interview with the Board's Credentials Committee to discuss his prescribing practices. Respondent requested the interview be postponed to an undetermined date due to an impending surgery.

3. In or about July of 2015, Respondent was invited for a second time to appear for an interview before the Board's Credentials Committee to discuss his prescribing practices. Respondent failed to appear for the interview and, as a result, the Board voted to proceed with the investigation and the expert's review of patient records. Additionally, pending a final resolution of the matter, the Board requested Respondent to sign a voluntary agreement wherein he would agree to cease the practice of pain management and prescribing of any pain medications. Respondent refused to sign the voluntary agreement.

4. On or about April 1, 2016, the Board filed an Administrative Complaint with the Commission charging Respondent with the following violations of Ala. Code § 34-24-360: (1) unprofessional conduct; (2) practicing medicine or osteopathy in such a manner as to endanger the health of patients; (3) prescribing, dispensing, furnishing or supplying controlled substances to patients for any reason other than a legitimate medical purpose; (4) excessive prescribing or dispensing of Schedule II controlled substances; (5) failure to maintain proper medical records;

and (6) failure to comply with Board or Commission rules regarding the use of controlled substances for the treatment of pain.

5. Furthermore, on July 27, 2016, the Board entered an Order Temporarily Suspending Respondent's Alabama Controlled Substances Certificate ("ACSC") and an Order to Show Cause directing Respondent to appear and show cause as to why his ACSC should not be revoked as a result of the Board's ongoing investigation.

6. Respondent ceased his practice of medicine pursuant to the terms of the Consent Order entered by the Commission on August 13, 2016, and agreed to sign a waiver of the 120-day requirement for a Board hearing on the suspension of his ACSC.

7. On or about February 28, 2017, the Board entered an order continuing the show cause hearing indefinitely until after such time as Respondent's hearing before the Commission on the Board's Administrative Complaint had taken place.

8. On or about August 29, 2018, Respondent executed a Voluntary Surrender and a Memorandum of Agreement wherein he agreed to voluntarily surrender his COQ and license and pay administrative costs in the amount of \$50,000 to the Board in exchange for the Board's dismissal, with prejudice, of its Administrative Complaint. The Board's Motion to Dismiss was granted by the Commission on or about October 7, 2018.

9. Respondent has paid the \$50,000 fine on or about September 4, 2020.

10. On or about November 17, 2020, the Board received Respondent's application to reinstate his COQ to practice medicine or osteopathy in Alabama. On May 19, 2021, the Board voted to set the reinstatement application for a hearing.

11. Prior to the aforementioned hearing, Respondent filed a Motion for Dismissal without Prejudice based on medical procedures Respondent would be undergoing during that time. An Order dismissing the action was entered on September 13, 2021.

12. On or about October 28, 2022, the Board received Respondent's second application to reinstate his COQ to practice medicine or osteopathy in Alabama.

13. Respondent has not practiced medicine since on or before August 13, 2016. Under Ala. Admin. Code R. 540-X-23-.03, "[a] physician's absence from clinical practice for more than two years creates a rebuttable presumption of clinical incompetence."

NOTICE OF GROUNDS FOR DENIAL

14. The Board has reviewed Respondent's application for reinstatement as well as other corroborating materials, and under the factors enumerated in 540-x-5-.05(5) has concluded that reinstatement of Respondent's Certificate of Qualification may be denied based on the following grounds:

COUNT ONE – CLINICAL INCOMPETENCE

15. Beginning in or about August 13, 2018, and continuing through the present date, WILLIAM MEYER RODDY, D.O., has failed to practice medicine and has been absent from clinical practice for more than two years, rendering him unable to practice medicine with reasonable skill and safety to patients by reason of a lack of clinical competency, a violation of Ala. Code § 34-24-360(20)a. and Ala. Admin. Code R. 540-X-23-.03.

COUNT TWO – PHYSICAL INCAPACITY

16. Beginning in or about August 13, 2016, and continuing through the present date, WILLIAM MEYER RODDY, D.O., has been unable to practice medicine with reasonable skill

and safety to patients by reason of illness and as a result of a mental and physical condition, a violation of Ala. Code § 34-24-360(19)a.

COUNT THREE – UNPROFESSIONAL CONDUCT

17. Beginning in or about June 2008 and continuing through September 2015, more exact dates being unknown to the Board, WILLIAM MEYER RODDY, D.O., engaged in unprofessional conduct, in violation of Ala. Code § 34-24-360(2).

COUNT FOUR – ENDANGERING THE HEALTH OF PATIENTS

18. Beginning in or about January 2010 and continuing through July 2015, more exact dates being unknown to the Board, WILLIAM MEYER RODDY, D.O., practiced medicine or osteopathy in such a manner as to endanger the health of his patients, in violation of Ala. Code §34-24-360(3).

COUNT FIVE – DISTRIBUTION BY PRESCRIBING A CONTROLLED SUBSTANCE FOR OTHER THAN A LEGITIMATE MEDICAL PURPOSE

19. Beginning in or about January 2010 and continuing through July 2015, more exact dates being unknown to the Board, WILLIAM MEYER RODDY, D.O., distributed by prescribing controlled substances to patients for other uses than a legitimate medical purpose, in violation of Ala. Code §34-24-360(8).

COUNT SIX – EXCESSIVE PRESCRIBING OF CONTROLLED SUBSTANCES

20. Beginning in or about January 2010 and continuing through July 2015, more exact dates being unknown to the Board, WILLIAM MEYER RODDY, D.O., excessively prescribed, dispensed, furnished, or supplied controlled substances to one or more of his patients, in violation of Ala. Code § 20-2-54(a)(5).

COUNT SEVEN – FAILURE TO MAINTAIN PATIENT RECORDS

21. Beginning in or about June 2008 and continuing through September 2015, more exact dates being unknown to the Board, WILLIAM MEYER RODDY, D.O., failed to maintain patient medical records which meet the minimum standards as outlined in the rules and regulations promulgated by the Medical Licensure Commission, in violation of Ala. Code § 34-24-360(22).

NOTICE OF REQUESTED ACTION

22. WHEREFORE, the foregoing premises considered, the Board seeks to DENY Respondent's application for reinstatement of his Certificate of Qualification pursuant to Board Rule 540-X-5-.05, and/or take any other action that the Board deems appropriate based upon the evidence presented for consideration.

NOTICE OF PROCEDURAL RIGHTS AND APPOINTMENT OF HEARING OFFICER

23. The Board has set a hearing on this matter and orders and directs Respondent to appear and answer the allegations contained in this Order. Respondent shall have the burden of establishing to the reasonable satisfaction of the Board that they are entitled to the specific relief requested. Respondent is entitled to be present at the hearing, to call witnesses and present evidence in his behalf, to examine documents offered into evidence by the Board, and to examine any witnesses called by the Board. Respondent is entitled to be represented by counsel at his own expense.

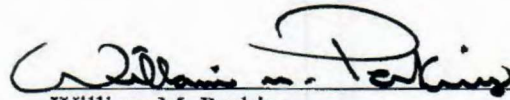
24. The hearing shall be considered a contested case under the Alabama Administrative Procedures Act, and the hearing shall be conducted in accordance with Ala. Code § 41-22-1, *et seq.*, and Chapter 6 of the Rules and Regulations of the Board contained in Chapter 540 of the Alabama Administrative Code.

25. The Honorable William R. Gordon is hereby appointed as Hearing Officer.

26. The Board is presently continuing the investigation of Respondent and said investigation may result in additional charges being prepared and filed as an amendment to this Order.

Respondent shall file an answer with the Board no later than **20 days** after service of this Order to Show Cause, as set out in Ala. Admin. Code R. 540-X-6-.04(2).

This Order to Show Cause is entered by direction of the Alabama State Board of Medical Examiners on this the 8th day of May, 2023.



William M. Perkins
Associate Executive Director
ALABAMA STATE BOARD OF MEDICAL EXAMINERS



Alicia Harrison, Associate General Counsel
ALABAMA STATE BOARD OF MEDICAL EXAMINERS
PO Box 946
Montgomery AL 36101-0946
Tel. (334) 833-0167
Email: aharrison@albme.gov

RETURN OF SERVICE

I, the undersigned, being over the age of 19 years and not a party in this matter, hereby certify that I have served the foregoing Order to Show Cause upon William H. DIVER, Attorney this the 9th day of May, 2023.

Rebecca R. Daniels
Process Server

SWORN TO AND SUBSCRIBED before me this 12th day of May, 2023.

Sydney G. Crowder
Notary Public
My Commission Expires: 1/20/27



BEFORE THE ALABAMA STATE BOARD OF MEDICAL EXAMINERS

ALABAMA STATE BOARD OF MEDICAL EXAMINERS,)	Order Dismissing Application to Reinstate Certificate of Qualification
)	
Complainant,)	
)	
-vs-)	Case No. 2021 - 05
)	
WILLIAM MEYER RODDY, D.O.,)	
)	
Respondent.)	
<hr/>)	

ORDER

William Meyer Roddy, D.O. (Dr. Roddy), has applied to reinstate his certificate of qualification (COQ). On August 6, 2021, he moved the Alabama State Board of Medical Examiners (Board) to generally continue the hearing set for October 20, 2021. The Board has not ruled on that motion. On September 9, 2021, Dr. Roddy moved the Board to dismiss this case without prejudice.

The Board orders, as follows: the Board dismisses this case and Dr. Roddy's application to reinstate his certification without prejudice to him filing to reinstate his COQ within the time prescribed by law; and, the motion for general continuance is moot.

The Board enters this order in Montgomery, Alabama, on September 13, 2021.



Mark H. LeQuire, M.D.
Chairman, Alabama State Board of Medical Examiners

Copies by Electronic Mail Only

Blake T. Henson, Esq.
W. Brent Woodall, Esq.
William K. Diver, Esq.
Christy Stewart
Amy T. Dorminey

BEFORE THE ALABAMA STATE BOARD OF MEDICAL EXAMINERS

ALABAMA STATE BOARD OF)
MEDICAL EXAMINERS,)
)
Complainant,)
)
v.) CASE NO.: 2021-05
)
)
WILLIAM MEYER RODDY, D.O.,)
)
Respondent.)

ORDER TO SHOW CAUSE

This Order to Show Cause is directed to WILLIAM MEYER RODDY, D.O. (“Respondent”), pursuant to the authority of Ala. Code § 20-2-53. A hearing will be conducted at **11:00 a.m. on Wednesday, October 20, 2021**, at the office of the Alabama State Board of Medical Examiners (“the Board”), 848 Washington Avenue, Montgomery, Alabama. Respondent is ORDERED AND DIRECTED to appear before the Board at the time and place stated above and to show cause, if there be any, why his application for reinstatement of his Certificate of Qualification (“COQ”) to practice medicine or osteopathy should not be denied. As grounds for denial, the Board states as follows:

JURISDICTION

1. Respondent was duly licensed to practice medicine or osteopathy in the state of Alabama on August 7, 1997, having been issued license number DO.541. After an investigation by the Board, he voluntarily surrendered his license on August 29, 2018. Respondent applied for reinstatement of his COQ on November 17, 2020. The Board has jurisdiction under Ala. Code § 34-24-361(g) and Chapter 540-X-5-.05 of the Administrative Rules of the Board.

FACTS

2. On or about November 19, 2014, after consideration of an investigative report, the Board voted to invite Respondent to an interview with the Board's Credentials Committee to discuss his prescribing practices. Respondent requested the interview be postponed to an undetermined date due to an impending surgery.

3. In or about July of 2015, Respondent was invited for a second time to appear for an interview before the Board's Credentials Committee to discuss his prescribing practices. Respondent failed to appear for the interview and, as a result, the Board voted to proceed with the investigation and the expert's review of patient records. Additionally, pending a final resolution of the matter, the Board requested Respondent to sign a voluntary agreement wherein he would agree to cease the practice of pain management and prescribing of any pain medications. Respondent refused to sign the voluntary agreement.

4. On or about April 1, 2016, the Board filed an Administrative Complaint with the Medical Licensure Commission of Alabama ("the Commission") as a result of its investigative findings that Respondent committed the following violations of Ala. Code § 34-24-360: (1) unprofessional conduct; (2) practicing medicine or osteopathy in such a manner as to endanger the health of patients; (3) prescribing, dispensing, furnishing or supplying controlled substances to patients for any reason other than a legitimate medical purpose; (4) excessive prescribing or dispensing of Schedule II controlled substances; (5) failure to maintain proper medical records; and (6) failure to comply with Board or Commission rules regarding the use of controlled substances for the treatment of pain.

5. Furthermore, on July 27, 2016, the Board entered an Order Temporarily Suspending Respondent's Alabama Controlled Substances Certificate ("ACSC") and an Order to

Show Cause directing Respondent to appear and show cause as to why his ACSC should not be revoked as a result of the Board's ongoing investigation.

6. Respondent ceased his practice of medicine pursuant to the terms of the Consent Order entered by the Commission on August 13, 2016, and agreed to sign a waiver of the 120-day requirement for a Board hearing on the suspension of his ACSC.

7. On or about February 28, 2017, the Board entered an order continuing the show cause hearing indefinitely until after such time as Respondent's hearing before the Commission on the Board's Administrative Complaint had taken place.

8. On or about September 19, 2017, Respondent, through his counsel, submitted a settlement proposal to the Board in an attempt to resolve the issues set out in the Administrative Complaint, allowing him to again practice medicine in Alabama. At its hearing the following day, the Board voted to decline Respondent's settlement proposal and to proceed with the hearing before the Commission.

9. On or about June 12, 2018, Respondent's counsel submitted another proposal to resolve the Administrative Complaint and Respondent's ACSC suspension issue. The Board voted again to decline the proposal.

10. On or about August 29, 2018, Respondent executed a Voluntary Surrender and a Memorandum of Agreement wherein he agreed to voluntarily surrender his COQ and license and pay administrative costs in the amount of \$50,000 to the Board in exchange for the Board's dismissal, with prejudice, of its Administrative Complaint.

11. Respondent has paid the \$50,000 administrative costs in full and the Board's Motion to Dismiss was granted by the Commission on or about October 7, 2018.

12. On or about November 17, 2020, the Board received Respondent's application to reinstate his certificate of qualification to practice medicine or osteopathy in Alabama. On May 19, 2021, the Board voted to set the reinstatement application for a hearing.

NOTICE OF GROUNDS FOR DENIAL

13. The Board has reviewed Respondent's application for reinstatement as well as other corroborating materials, and under the factors enumerated in 540-x-5-.05(5) has concluded that reinstatement of Respondent's Certificate of Qualification may be denied based on the following grounds:

COUNT ONE – UNPROFESSIONAL CONDUCT

14. Beginning in or about June 2008 and continuing through September 2015, more exact dates being unknown to the Board, WILLIAM MEYER RODDY, D.O., engaged in unprofessional conduct, in violation of Ala. Code § 34-24-360(2).

COUNT TWO – ENDANGERING THE HEALTH OF PATIENTS

15. Beginning in or about January 2010 and continuing through July 2015, more exact dates being unknown to the Board, WILLIAM MEYER RODDY, D.O., practiced medicine or osteopathy in such a manner as to endanger the health of his patients, in violation of Ala. Code §34-24-360(3).

COUNT THREE – DISTRIBUTION BY PRESCRIBING A CONTROLLED SUBSTANCE FOR OTHER THAN A LEGITIMATE MEDICAL PURPOSE

16. Beginning in or about January 2010 and continuing through July 2015, more exact dates being unknown to the Board, WILLIAM MEYER RODDY, D.O., distributed by prescribing controlled substances to patients for other uses than a legitimate medical purpose, in violation of Ala. Code §34-24-360(8).

COUNT FOUR – EXCESSIVE PRESCRIBING OF CONTROLLED SUBSTANCES

17. Beginning in or about January 2010 and continuing through July 2015, more exact dates being unknown to the Board, WILLIAM MEYER RODDY, D.O., excessively prescribed, dispensed, furnished, or supplied controlled substances to one or more of his patients, in violation of Ala. Code § 20-2-54(a)(5).

COUNT FIVE – FAILURE TO MAINTAIN PATIENT RECORDS

18. Beginning in or about June 2008 and continuing through September 2015, more exact dates being unknown to the Board, WILLIAM MEYER RODDY, D.O., failed to maintain patient medical records which meet the minimum standards as outlined in the rules and regulations promulgated by the Medical Licensure Commission, in violation of Ala. Code § 34-24-360(22).

COUNT SIX – FAILURE TO COMPLY WITH BOARD OR COMMISSION RULES

19. Beginning in or about June 2008 and continuing through September 2015, more exact dates being unknown to the Board, WILLIAM MEYER RODDY, D.O., failed to fully comply with the rules of the Board or Medical Licensure Commission, in violation of Ala. Code § 34-24-360(23) and, specifically, Board Rule 540-X-4-.07 concerning the use of controlled substances for the treatment of pain.

NOTICE OF REQUESTED ACTION

20. WHEREFORE, the foregoing premises considered, the Board seeks to DENY Respondent's application for reinstatement of his Certificate of Qualification pursuant to Board Rule 540-X-5-.05, and/or take any other action that the Board deems appropriate based upon the evidence presented for consideration.

NOTICE OF PROCEDURAL RIGHTS AND APPOINTMENT OF HEARING OFFICER

21. The Board has set a hearing on this matter and orders and directs Respondent to appear and answer the allegations contained in this Order. Respondent shall have the burden of establishing to the reasonable satisfaction of the Board that they are entitled to the specific relief requested. Respondent is entitled to be present at the hearing, to call witnesses and present evidence in his behalf, to examine documents offered into evidence by the Board, and to examine any witnesses called by the Board. Respondent is entitled to be represented by counsel at his own expense.

22. The hearing shall be considered a contested case under the Alabama Administrative Procedures Act, and the hearing shall be conducted in accordance with Ala. Code § 41-22-1, *et. seq.*, and Chapter 6 of the Rules and Regulations of the Board contained in Chapter 540 of the Alabama Administrative Code.

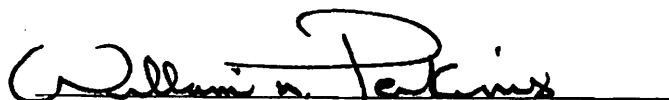
23. The Honorable William R. Gordon is hereby appointed as Hearing Officer.

24. The Board is presently continuing the investigation of Respondent and said investigation may result in additional charges being prepared and filed as an amendment to this Order.

The Board requests that administrative costs be assessed against Respondent pursuant to Ala. Code § 34-24-380 and Board Rule 540-X-5-.03.

Respondent shall file an answer with the Board no later than **20 days** after service of this Order to Show Cause, as set out in Ala. Admin. Code R. 540-X-6-.04(2).

This Order to Show Cause is entered by direction of the Alabama State Board of Medical Examiners on this the 9th day of June, 2021.



William M. Perkins
Associate Executive Director
ALABAMA STATE BOARD OF MEDICAL EXAMINERS



Blake T. Henson, Associate General Counsel
ALABAMA STATE BOARD OF MEDICAL EXAMINERS
PO Box 946
Montgomery AL 36101-0946
Tel. (334) 833-0167
Email: bhenson@albme.gov

ALABAMA STATE BOARD OF MEDICAL EXAMINERS


IN THE MATTER OF:) **BEFORE THE ALABAMA STATE**
) **BOARD OF MEDICAL EXAMINERS**
)
) **CASE NUMBER 2016-11**
WILLIAM MEYER RODDY, D. O.)

ORDER DISMISSING PROCEEDINGS WITHOUT PREJUDICE

It is Ordered that the show cause order issued by the Alabama State Board of Medical Examiners (Board) is dismissed without prejudice.

This order is entered based on the reasons stated in the Board's motion to dismiss dated October 15, 2018.

Done on October 25th 2018.


Howard J. Falgout, M.D.
Chair, Alabama State Board of Medical Examiners

CC: E. Wilson Hunter, Esq.: By Electronic Mail Only
Elizabeth V. Addison, Esq.: By Electronic Mail Only
Mitchel H. Boles, Esq.: By Electronic Mail Only
Amy Dorminey: By Electronic Mail Only
Carla Kruger: By Electronic Mail Only

**BEFORE THE MEDICAL LICENSURE COMMISSION
OF ALABAMA**

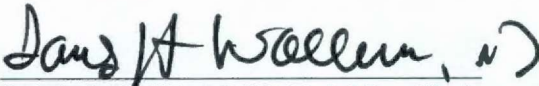
ALABAMA STATE BOARD OF MEDICAL EXAMINERS,)	
)	Case No. 16-003
Complainant,)	
)	
v.)	
)	
WILLIAM MEYER RODDY, D.O.)	
)	
Respondent.)	
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ORDER

The final hearing in this case was begun on August 29, 2018 and suspended after the parties announced that a settlement agreement had been reached. This cause now comes before the Commission for dismissal based upon that settlement agreement, more particularly on the Voluntary Surrender of Respondent's medical license and certificate of qualification, a Memorandum of Agreement settling the case, and a Motion to Dismiss submitted by the Complainant.

The Commission finds that the Complainant's Motion to Dismiss supported by the Memorandum of Agreement and Voluntary Surrender is due to be and is hereby GRANTED. This case is, therefore, DISMISSED, with prejudice.

Done this 14th day of October, 2018


JAMES H. WALBURN, M.D., Chairman
Medical Licensure Commission of Alabama

STATE OF ALABAMA)
)
MONTGOMERY COUNTY)

VOLUNTARY SURRENDER

I, WILLIAM MEYER RODDY, D.O., do voluntarily surrender my certificate of qualification and license to practice medicine or osteopathy in the State of Alabama, identified by license number DO.541, under the provisions of Ala. Code § 34-24-361(g). I acknowledge that this action is taken by me while under investigation by the Alabama State Board of Medical Examiners and after the filing of an administrative complaint against my license for alleged violations of Ala. Code § 34-24-360:

- a. Unprofessional Conduct, a violation of Ala. Code § 34-24-360(2);
- b. Practicing medicine or osteopathy in such a manner as to endanger the health of the patients of the practitioner, a violation of Ala. Code § 34-24-360(3);
- c. Distribution by prescribing a controlled substance for other than a legitimate medical purpose, a violation of Ala. Code § 34-24-360(8);
- d. Excessive prescribing, dispensing, furnishing, or supplying of a Schedule II controlled substance, a violation of Ala. Code § 34-24-360(21);
- e. Failure to maintain for a patient a medical record which meets the minimum standards stated in the rules and regulations promulgated by the Commission, a violation of Ala. Code § 34-24-360(22); and

- f. Failure to comply with any rule of the Board of Medical Examiners or Medical Licensure Commission, a violation of Ala. Code § 34-24-360(23); specifically, Board Rule 540-X-4-.07 concerning the use of controlled substances for the treatment of pain.

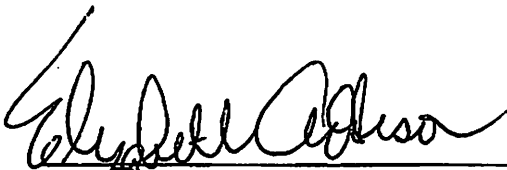
The administrative complaint and alleged violations under investigation have not been adjudicated, and this surrender does not constitute an admission by me of any allegations made in the administrative complaint. I acknowledge that I sign this document willingly, that I execute it as my free and voluntary act for the purposes herein expressed, and that I am of sound mind and under no constraint or undue influence.

I further acknowledge that this voluntary surrender constitutes a public record of the Alabama State Board of Medical Examiners and will be reported by the Board to the National Practitioner Data Bank (NPDB) and to the Federation of State Medical Boards. This voluntary surrender may be released by the Alabama State Board of Medical Examiners to any person or entity requesting information concerning the licensure status in Alabama of the physician named herein.


EXECUTED this 8th day of Aug, 2018.



WILLIAM MEYER RODDY, D.O.



ELIZABETH ADDISON
Attorney for Dr. Roddy



MITCH BOLES, Esq.
Attorney for Dr. Roddy

STATE OF ALABAMA)
)
MONTGOMERY COUNTY)

MEMORANDUM OF AGREEMENT

I, WILLIAM MEYER RODDY, D.O., agree to pay the costs, fees, and expenses of the board incurred in connection with investigation and administrative complaint filed with the State of Alabama Licensure Commission in case number 16-003, including, but not limited to, the actual costs of independent medical review and expert testimony, reasonable and necessary attorney fees and expenses, deposition costs, travel expenses for board staff, charges incurred for obtaining documentary evidence, and such other categories of expenses as may be prescribed in regulations published by the board and the commission. I agree to pay to the Alabama Board of Medical Examiners (the "Board") administrative costs in the amount of \$50,000, and I agree and understand that my payment of these costs must precede any petition for reinstatement of my certificate of qualification and license to practice medicine. I understand and agree that the administrative costs assessed against me may be enforced in the same manner as prescribed in Board Rule 540-x-5-.01 *et seq.* and Ala. Code § 34-24-337. I take this action based on the agreement by the Board: (1) to accept the voluntary surrender of my certificate of qualification and medical license under Ala. Code § 34-24-361(g); and (2) move for the dismissal with prejudice of the administrative complaint filed against me and pending with the Medical Licensure Commission of Alabama in case number 16-003.

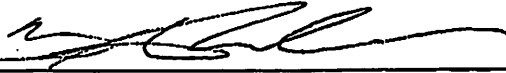
The parties to this agreement are the Board and me. The parties agree that non-performance of the agreement by one party shall relieve the other party of its obligation to perform. This agreement shall remain in effect unless and until it is terminated by either party. I expressly permit the Board to use this document as evidence of our agreement should I attempt to reinstatement my certificate of qualification and license to practice medicine.

I acknowledge that I sign this document willingly, that I execute it as my free and voluntary act for the purposes herein expressed, and that I am of sound mind and under no constraint or undue influence.

EXECUTED this 29th day of August, 2018.



WILLIAM MEYER RODDY, D.O.



MITCH BOLES, Esq.
Attorney for Dr. Roddy



ELIZABETH ADDISON, Esq.
Attorney for Dr. Roddy



E. WILSON HUNTER
General Counsel
Alabama Board of Medical Examiners

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

ALABAMA STATE BOARD OF MEDICAL)
EXAMINERS,)

Case No. 16-003

Complainant,)

v.)

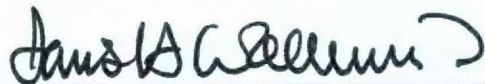
WILLIAM MEYER RODDY, D.O.)

Respondent.)
_____)

ORDER

This cause came before the Medical Licensure Commission of Alabama for final hearing on August 29, 2018. Dr. Roddy was present with counsel. Testimony and evidence was taken. The hearing was continued generally at the conclusion of the day, and the parties announced a tentative proposed settlement agreement. The hearing will recommence on a date to be set out in a subsequent order if a settlement is not duly consummated and approved.

Done this 7th day of September, 2018.



JAMES H. WALBURN, M.D., Chairman
Medical Licensure Commission of Alabama

ALABAMA STATE BOARD OF MEDICAL EXAMINERS,)	BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA
)	
Complainant,)	
)	Case No. 16-003
v.)	
)	
WILLIAM MEYER RODDY, D.O.)	
)	
Respondent.)	
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)	
)	

AMENDED ORDER RESETTING HEARING

The hearing on the administrative complaint filed in this case is hereby continued and re-set for 9:30 a.m., **August 29, 2018** at the office of the Medical Licensure Commission, 848 Washington Avenue, Montgomery, Alabama. This continuance is premised upon the representation by Dr. Roddy that he is not practicing medicine and will not practice medicine in the state of Alabama pending the final hearing in this case. If it comes to the attention of the Commission that Dr. Roddy may be practicing, the Commission reserves the right to re-set this hearing on its next available hearing docket.

Done this 31st day of July, 2018

James H. Walburn, M.D., Chairman
 Medical Licensure Commission of Alabama

ALABAMA STATE BOARD OF MEDICAL EXAMINERS,

Complainant,

v.

WILLIAM MEYER RODDY, D.O.

Respondent.

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

Case No. 16-003

ORDER RESETTING HEARING

The hearing on the administrative complaint filed in this case is hereby continued and re-set for 9:30 a.m., August 22, 2018 at the office of the Medical Licensure Commission, 848 Washington Avenue, Montgomery, Alabama. This continuance is premised upon the representation by Dr. Roddy that he is not practicing medicine and will not practice medicine in the state of Alabama pending the final hearing in this case. If it comes to the attention of the Commission that Dr. Roddy may be practicing, the Commission reserves the right to re-set this hearing on its next available hearing docket.

Done this 20th day of April, 2018

ds/James H. Walburn, M.D.
JAMES H. WALBURN, M.D., Chairman
Medical Licensure Commission
of Alabama

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

ALABAMA STATE BOARD OF MEDICAL)
EXAMINERS,)

Complainant,)

v.)

WILLIAM MEYER RODDY, D.O.)

Respondent.)

Case No. 16-003

ORDER RESETTING HEARING

This cause comes before the Commission on the joint motion to continue the hearing set on the administrative complaint. The motion is due to be and is hereby GRANTED.

The final hearing in this case is hereby continued and re-set for June 27, 2018 at the offices of the Medical Licensure Commission of Alabama, 848 Washington Avenue, Montgomery, Alabama. All deadlines set out in the Scheduling Order entered in this case shall remain unchanged. The parties are cautioned that any requests for approval of stipulation and consents should be submitted in time to be included on the agenda for the monthly Commission meeting the month prior to the date set for hearing. The Commission will consider stipulations submitted for approval after that time but will not entertain motions to continue the hearing premised on such submission.

Done this 13th day of March, 2018.

James E. West, M.D.
JAMES E. WEST, M.D., Chairman
Medical Licensure Commission
of Alabama

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

ALABAMA STATE BOARD OF MEDICAL)
EXAMINERS,)
) **Case No. 16-003**
) **Complainant,**)
))
) **v.**)
))
) **WILLIAM MEYER RODDY, D.O.**)
))
) **Respondent.**)
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ORDER RESETTING HEARING

This cause comes before the Commission on the Unopposed Motion to Continue Hearing filed by Respondent. The motion is due to be and is hereby GRANTED.

The final hearing in this case is hereby continued and re-set for March 28, 2018 at the offices of the Medical Licensure Commission of Alabama, 848 Washington Avenue, Montgomery, Alabama. All deadlines set out in the Scheduling Order entered in this case shall remain unchanged.

Done this 27th day of September, 2017

James E. West, MD
JAMES E. WEST, M.D.
Chairman, Medical Licensure Commission
of Alabama

BEFORE THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

ALABAMA STATE BOARD OF MEDICAL)
EXAMINERS,)

Complainant,)

v.)

WILLIAM MEYER RODDY, D.O.)

Respondent.)

Case No. 16-003

ORDER RESETTING HEARING

The hearing on the administrative complaint filed in this case having been previously continued generally on motion of Dr. Roddy, it is hereby ORDERED that the said hearing be and is hereby re-set for 9:30 a.m., October 25, 2017 in the offices of the Medical Licensure Commission, 848 Washington Avenue, Montgomery, Alabama.

Done this 8th day of May, 2017

James E. West, MD
JAMES E. WEST, M.D., Chairman
Medical Licensure Commission
of Alabama

ALABAMA STATE BOARD OF)
MEDICAL EXAMINERS,)
)
Complainant,)
)
v.)
)
WILLIAM MEYER RODDY, D.O.)
)
Respondent)

BEFORE THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

CASE NUMBER 16-003

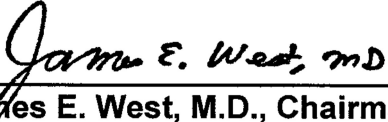
ORDER OF CONTINUANCE

The Respondent, William Meyer Roddy, D.O., has filed a Motion to Continue the final hearing in this matter, which is presently scheduled for January 25th, 26th & 27th, 2017. The basis of his motion is that he is physically unable to participate in preparation for the hearing and in the hearing itself. In support of his motion Dr. Roddy has agreed, through counsel, to refrain from the practice of medicine, in any form, pending final resolution of this matter, and he has agreed to permit the Chairman of the Alabama Medical Licensure Commission to consult directly with his physicians regarding his health and his ability to participate in a hearing. Therefore, based upon such agreements, and based upon discussions between council for the Alabama Medical Licensure Commission and council for the parties, it is ordered that the final hearing in this case is Continued, to be rescheduled at the convenience of the Alabama Medical Licensure Commission. Such continuance is granted based upon and subject to the following:

1. Dr. Roddy shall not practice medicine in any form pending final resolution of this case.

2. No witnesses or exhibits which have not already been disclosed to the other party will be permitted.
3. No new pre-hearing motions or objections will be permitted, other than motions or objections relating to witnesses or exhibits already disclosed.
4. There will be no new discovery.
5. Dr. Roddy will permit the Chairman of the Alabama Medical Licensure Commission to communicate directly with all of his physicians regarding his health and physical ability to participate in a hearing.

ENTERED this 16th day of January, 2017.



James E. West, M.D., Chairman
Alabama Medical Licensure Commission

IN THE MATTER OF) BEFORE THE ALABAMA BOARD
)
WILLIAM M. RODDY, D. O.) OF MEDICAL EXAMINERS

AMENDED
ORDER TO SHOW CAUSE

TO: William M. Roddy, D. O.
810 S Montgomery Ave
Sheffield AL 35660

This Order to Show Cause is directed to William M. Roddy, D. O., pursuant to the authority of Ala. Code § 20-2-53 (2010). A hearing will be conducted at 9:30 a.m. on **Wednesday, March 15, 2017**, at the office of the Alabama State Board of Medical Examiners (“the Board”), 848 Washington Avenue, Montgomery, Alabama. William M. Roddy, D. O., is ORDERED and DIRECTED to appear before the Board at the time and place stated above and to show cause, if there be any, why his Alabama Controlled Substances Certificate should not be revoked. As grounds for revocation, the Board states the following:

1. On January 1, 2016, the Board issued to William M. Roddy, D. O., an Alabama Controlled Substances Certificate, number ACSC.DO.541.
2. An investigation has shown probable cause to believe that Dr. Roddy has committed the following violations of Ala. Code § 20-2-54(a)(5):
 - a. Excessively dispensed controlled substances for one or more of his patients;
 - b. Dispensed controlled substances for no legitimate medical purpose;
 - c. Dispensed controlled substances in amounts not reasonably related to the proper medical management of his patients’ illnesses or conditions; and
 - d. Violated the Requirements for the Use of Controlled Substances for the Treatment of Pain set out in Rule 540-X-4-.08 of the Rules of the Alabama Board of Medical Examiners.

3. The investigation has also shown probable cause to believe that an imminent danger to the public health and safety exists if Dr. Roddy's Alabama Controlled Substances Certificate, number ACSC.DO.541, is not immediately suspended pursuant to Ala. Code § 20-5-55.

4. Pursuant to Ala. Code § 20-2-54 and Alabama Board of Medical Examiners Rule 540-X-5-.03, the Board seeks to revoke the Alabama Controlled Substances Certificate of Dr. Roddy and/or take any other action which the Board deems appropriate based upon the evidence presented for consideration.

5. Dr. Roddy is entitled to be present at the hearing, to call witnesses, to present evidence in his behalf, to examine documents offered into evidence and to examine any witnesses called to testify. Dr. Roddy is entitled to be represented by counsel at his own expense.

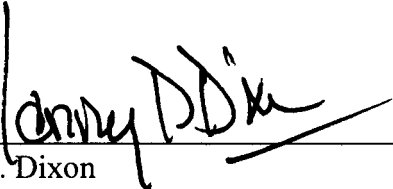
6. The hearing shall be considered a contested case under the Alabama Administrative Procedures Act, and the hearing shall be conducted in accordance with Ala. Code § 41-22-1, *et. seq.*, and Chapter 6 of the Rules and Regulations of the Board of Medical Examiners.

7. The Honorable William R. Gordon is hereby appointed as Hearing Officer.


The Board is presently continuing the investigation of Dr. Roddy and said investigation may result in additional charges being prepared and filed as an amendment to this Order.

The Board requests that administrative costs be assessed against Dr. Roddy pursuant to Ala. Code § 34-24-380 and Board Rule 540-X-5-.03.

This Amended Order to Show Cause is entered by direction of the Alabama Board of Medical Examiners this 27th day of October, 2016.



Larry D. Dixon
Executive Director
Alabama Board of Medical Examiners



E. Wilson Hunter, Associate General Counsel
Alabama Board of Medical Examiners
PO Box 946
Montgomery AL 36101-0946
Tel. (334) 242-4116
Fax (334) 240-3051
Email: whunter@albme.org

ALABAMA STATE BOARD OF)
MEDICAL EXAMINERS,)
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Complainant,)
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v.)
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WILLIAM MEYER RODDY, D.O.)
)
Respondent)

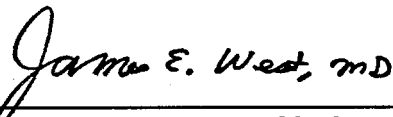
BEFORE THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

CASE NUMBER 16-003

ORDER SETTING HEARING

This matter being previously continued by Order of the Alabama Medical
Licensure Commission dated August 17, 2016, is hereby set for hearing on
January 24th and 25th, 2017 at 9:30 a.m. in the offices of the Alabama Medical
Licensure Commission, 848 Washington Avenue, Montgomery, Alabama 36104. A
revised scheduling order is attached herewith.

ENTERED this day, August 25, 2016.



James E. West, M.D., Chairman
Alabama Medical Licensure Commission

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS**

Complainant,

v.

WILLIAM MEYER RODDY, D.O.

Respondent.

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**BEFORE THE MEDICAL
LICENSURE COMMISSION
OF ALABAMA**

CASE NO. 16-003

ORDER

This matter is before the Medical Licensure Commission of Alabama on the motion of the Respondent, William Meyer Roddy, D.O., to reconsider the Commission's Order entered on August 5, 2016, denying the motion to extend deadlines and to continue hearing.

The Medical Licensure Commission of Alabama, having been advised that Dr. Roddy has agreed to the entry of the Consent Order attached hereto and incorporated herein as Exhibit "A," has determined that the motion to continue the hearing presently scheduled for August 23 and 24, 2016, is due to be GRANTED.

WHEREFORE, These Premises Considered, it is hereby Ordered, Adjudged and Decreed by the Medical Licensure Commission of Alabama as follows:

1. Exhibit "A," the Consent Order executed by Respondent William Meyer Roddy, D.O., on the 13th day of August, 2016, is hereby approved, adopted, and entered as the Order of the Medical Licensure Commission of Alabama.

2. A new hearing date will be set, and a new scheduling order will be issued, after

the Commission's next meeting on August 24, 2016.

ENTERED this 17~~th~~ day of August, 2016.

James E. West, MD
JAMES E. WEST, M.D., Chairman
Medical Licensure Commission of Alabama

ALABAMA STATE BOARD OF
 MEDICAL EXAMINERS,

BEFORE THE MEDICAL LICENSURE
 COMMISSION OF ALABAMA

Complainant,

-vs-

Case No. 16 -003

WILLIAM MEYER RODDY, D.O.,

Respondent.

CONSENT ORDER

COMES NOW Respondent, William Meyer Roddy, D.O., and in consideration for the Medical Licensure Commission of Alabama ("MLC") agreeing to continue the hearing in this matter which is presently set for August 23 and 24, 2016, I agree to the entry of this Consent Order by the MLC with terms and conditions as follows:

1. Upon execution of this Order, I will cease the practice of medicine in any manner until a hearing on the Administrative Complaint of the Alabama State Board of Medical Examiners ("BME") is held before the MLC and a ruling by the MLC has been rendered.
2. I understand and agree that I have a duty and obligation to assist my patients in transferring their medical care and records to another physician, and I agree to fulfil my duties and obligations to my patients.
3. A hearing is currently scheduled for September 21, 2016 on the summary suspension of my Alabama Controlled Substance Certificate (ACSC). For the BME, I hereby agree to sign a waiver of the 120-day requirement for hearing on the suspension of my ACSC and to file a separate motion with the BME requesting a continuance of the September 21, 2016 hearing until after the hearing before the MLC on the Administrative Complaint filed against me.

4. I have been advised, and understand and agree, that the hearing before the MLC on the Administrative Complaint will not be scheduled before January or February 2017 at the earliest.

DATED THIS the 13th day of August, 2016.

A handwritten signature in black ink, consisting of a long, sweeping horizontal stroke that curves upwards and loops back to the right, ending in a small circle.

William Meyer Roddy, D.O.

ORIGINAL

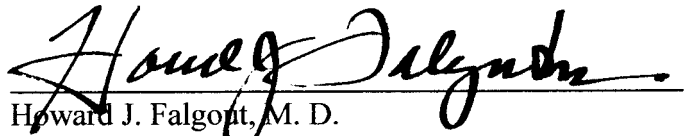
IN THE MATTER OF) BEFORE THE ALABAMA BOARD
)
 WILLIAM M. RODDY, D. O.) OF MEDICAL EXAMINERS

**ORDER TEMPORARILY SUSPENDING
 ALABAMA CONTROLLED SUBSTANCES CERTIFICATE**

Pursuant to the authority of Ala. Code § 20-2-55, the Alabama Board of Medical Examiners (“Board”) hereby finds that there is an imminent danger to the public health and safety, and it is the ORDER of the Board that the Alabama Controlled Substances Certificate (ACSC) of WILLIAM M. RODDY, D. O., ACSC.DO.541, be, and the same is hereby, immediately suspended. Dr. Roddy is hereby ORDERED and DIRECTED to surrender ACSC.DO.541 and all controlled substances of which he has possession to ^{William Parkias} ~~EDWIN ROGERS~~, a duly authorized agent of the Board.

Dr. Roddy is hereby ORDERED to cease and desist from ordering, prescribing, distributing, or dispensing controlled substances until such time as a hearing shall be held by the Board and a decision rendered thereon. This Order shall issue simultaneously with an Order to Show Cause setting forth the allegations and scheduling a hearing.

Ordered this the 27th day of July, 2016.


 Howard J. Falgout, M. D.
 Chairman, Alabama Board of Medical Examiners

RETURN OF SERVICE

I, the undersigned, being over the age of 19 years and not a party in this matter, hereby certify that I have served the foregoing Order Temporarily Suspending Alabama Controlled Substances Certificate upon William Bondy, D.O., this the 28th day of July, 2016.

William Bondy
Process Server

SWORN TO AND SUBSCRIBED before me this 28th day of July, 2016.

Carla H Krueger
Notary Public
My Commission Expires: 9/30/19

IN THE MATTER OF) BEFORE THE ALABAMA BOARD
)
WILLIAM M. RODDY, D. O.) OF MEDICAL EXAMINERS

ORDER TO SHOW CAUSE

TO: William M. Roddy, D. O.



This Order to Show Cause is directed to William M. Roddy, D. O., pursuant to the authority of Ala. Code § 20-2-53 (2010). A hearing will be conducted at 9:30 a.m., CDT, on Wednesday, September 21, 2016, at the office of the Alabama State Board of Medical Examiners (“the Board”), 848 Washington Avenue, Montgomery, Alabama. William M. Roddy, D. O., is ORDERED and DIRECTED to appear before the Board at the time and place stated above and to show cause, if there be any, why his Alabama Controlled Substances Certificate should not be revoked. As grounds for revocation, the Board states the following:

1. On January 1, 2016, the Board issued to William M. Roddy, D. O., an Alabama Controlled Substances Certificate, number ACSC.DO.541.
2. An investigation has shown probable cause to believe that Dr. Roddy has committed the following violations of Ala. Code § 20-2-54(a)(5):
 - a. Excessively dispensed controlled substances for one or more of his patients;
 - b. Dispensed controlled substances for no legitimate medical purpose;
 - c. Dispensed controlled substances in amounts not reasonably related to the proper medical management of his patients’ illnesses or conditions; and
 - d. Violated the Requirements for the Use of Controlled Substances for the Treatment of Pain set out in Rule 540-X-4-.08 of the Rules of the Alabama Board of Medical Examiners.

3. The investigation has also shown probable cause to believe that an imminent danger to the public health and safety exists if Dr. Roddy's Alabama Controlled Substances Certificate, number ACSC.DO.541, is not immediately suspended pursuant to Ala. Code § 20-5-55.

4. Pursuant to Ala. Code § 20-2-54 and Alabama Board of Medical Examiners Rule 540-X-5-.03, the Board seeks to revoke the Alabama Controlled Substances Certificate of Dr. Roddy and/or take any other action which the Board deems appropriate based upon the evidence presented for consideration.

5. Dr. Roddy is entitled to be present at the hearing, to call witnesses, to present evidence in his behalf, to examine documents offered into evidence and to examine any witnesses called to testify. Dr. Roddy is entitled to be represented by counsel at his own expense.

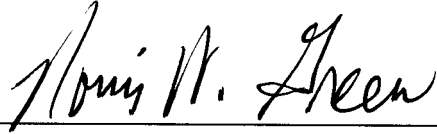
6. The hearing shall be considered a contested case under the Alabama Administrative Procedures Act, and the hearing shall be conducted in accordance with Ala. Code § 41-22-1, *et. seq.*, and Chapter 6 of the Rules and Regulations of the Board of Medical Examiners.

7. The Honorable William R. Gordon is hereby appointed as Hearing Officer.

The Board is presently continuing the investigation of Dr. Roddy and said investigation may result in additional charges being prepared and filed as an amendment to this Order.

The Board requests that administrative costs be assessed against Dr. Roddy pursuant to Ala. Code § 34-24-380 and Board Rule 540-X-5-.03.

This Order to Show Cause is entered by direction of the Alabama Board of Medical
Examiners this 27th day of July, 2016.



Norris W. Green
Associate Executive Director
Alabama Board of Medical Examiners



E. Wilson Hunter, Attorney for the
Alabama Board of Medical Examiners
PO Box 946
Montgomery AL 36101-0946
Tel. (334) 242-4116
Fax (334) 240-3051
Email: whunter@albme.org

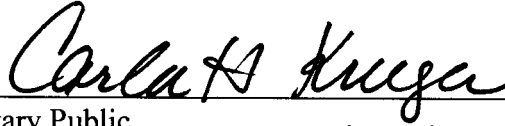
RETURN OF SERVICE

I, the undersigned, being over the age of 19 years and not a party in this matter, hereby certify that I have served the foregoing Order to Show Cause upon William P. Poon, D.D., this the 28th day of July, 2016.



Process Server

SWORN TO AND SUBSCRIBED before me this 29th day of July, 2016.



Notary Public

My Commission Expires: 9/30/9

ALABAMA STATE BOARD OF)
MEDICAL EXAMINERS,)
)
Complainant,)
)
v.)
)
WILLIAM MEYER RODDY, D.O.)
)
Respondent.)

BEFORE THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

CASE NO. 16-003

ORDER SETTING HEARING

The Medical Licensure Commission has received the verified Administrative Complaint of the State Board of Medical Examiners filed in this cause. The Commission has determined that this matter is due to be set down for hearing under the provisions of §34-24-361, Code of Alabama 1975.

Accordingly, it is the Order of the Commission that this matter be set for hearing before the Commission on the 23rd & 24th day of August, 2016 at 9:30 o'clock in the a.m. at the offices of the Medical Licensure Commission, 848 Washington Avenue, Montgomery, Alabama. The Respondent, WILLIAM MEYER RODDY, D.O. is directed to respond to the allegations of the verified Complaint in the manner prescribed in Rule 545-X-3-.03 of the Rules and Regulations of the Medical Licensure Commission. Such answer shall be filed **within 20 days** of service of a copy of the Administrative Complaint and the Order Setting Hearing.

This hearing shall be conducted in accordance with §34-24-361(e), Code of Alabama 1975 and Chapter 3 of the Rules and Regulations of the Medical Licensure Commission concerning hearings in contested cases. The Respondent is entitled to be present at the hearing

and to be represented by counsel, is entitled to cross examine witnesses presented by the Complainant, and is entitled to present testimony and other evidence touching on the allegations contained in the Complaint.

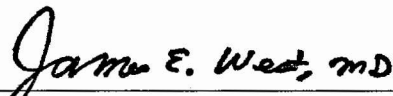
Wayne P. Turner, Esq., is hereby appointed to act as legal counsel for the Commission under the authority of Rule 545-X-3-.08 of the Rules and Regulations of the Medical Licensure Commission.

It is the further order of the Commission that a copy of the verified Complaint of the Alabama State Board of Medical Examiners and a copy of this Order Setting Hearing is forthwith served upon the said WILLIAM MEYER RODDY, D.O., by personally delivering the same to him if he can be found within the State of Alabama or by overnight courier, signature required, to his last known address if he cannot be found within the State of Alabama. The Commission further directs that personal service of process shall be made by Bob Steelman ^{Edwin Rogers}, who is designated as the duly authorized agent of the Medical Licensure Commission.

The Complainant and Respondent are directed to comply strictly with the Commission's Standing Order and Scheduling Order, which are attached hereto.

It is further ordered that the parties and their attorneys immediately check their calendars for scheduling conflicts. **No requests for continuances based upon schedule conflicts of attorneys or parties will be considered unless such request is made forty-five (45) days prior to the scheduled hearing date.**

ORDERED at Montgomery, Alabama, this 20th day of April, 2016.


James E. West, M.D., Chairman
Medical Licensure Commission of Alabama