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BOARD OF  
HEALING ARTS

SETTLEMENT AGREEMENT BETWEEN THE MISSOURI  
STATE BOARD OF REGISTRATION FOR THE HEALING ARTS  
AND METODIA J. WEBSTER, M.D.

COME NOW Metodia J. Webster, M.D., (Licensee) and the Missouri State Board of Registration for the Healing Arts (the Board) and enter into this agreement for the purpose of resolving the issue of whether Licensee's physician and surgeon's license is subject to discipline. Licensee and the Board jointly stipulate and agree that a final disposition of this matter may be effectuated as described below pursuant to sections 536.060 and 621.045, RSMo.<sup>1</sup>

1. Licensee acknowledges that she understands the various rights and privileges afforded to her by law, including the right to a hearing of the charges; the right to appear and be represented by legal counsel; the right to have all charges against her proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing; the right to present evidence on her own behalf; the right to a decision based upon the record concerning the charges pending against her; and the right to present evidence in mitigation of discipline at a hearing before the Board. Having been advised of these rights provided to her by operation of law, Licensee knowingly and voluntarily waives each and every one of these rights, freely enters into this agreement and agrees to abide by the terms of this document as they pertain to her.
2. Licensee acknowledges that she may, at the time this agreement is effective or within fifteen (15) days thereafter, submit this agreement to the Administrative Hearing Commission to determine whether the facts agreed to by the parties constitute grounds to discipline Licensee's license.
3. Licensee acknowledges that she has been advised of her right to consult legal counsel in this matter.

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<sup>1</sup> All statutory references are to the Revised Statutes of Missouri (2016) unless otherwise stated.

4. The parties stipulate and agree that the discipline agreed to by the Board and Licensee in the consent order in Part III is based only on the agreement set out in Parts I and II herein. Licensee understands that the Board may take further action against her based on facts or conduct not specifically mentioned in this document that is either presently known to the Board or later discovered.
5. Licensee understands and agrees that the Board will maintain this agreement as an open record as required by Chapters 324, 334 and 610, RSMo, and it will report this agreement to the National Practitioner's Data Bank (NPDB) and the Federation of State Medical Boards (FSMB).

#### I. JOINT STIPULATION OF FACTS

Based upon the foregoing, the Board and Licensee herein jointly stipulate and agree to the following:

6. The Board is an agency of the state of Missouri created and established pursuant to section 334.120, RSMo, for the purpose of executing and enforcing the provisions of Chapter 334, RSMo.
7. Licensee is licensed by the Board as a physician and surgeon, License No. 101417, which was first issued on September 7, 1995. Licensee's license is current, and was current and active at all times relevant herein.
8. On or about March 5, 2018, Licensee and the Illinois Department of Financial and Professional Regulation, Division of Professional Regulation (Illinois Agency) entered a Consent Order (Illinois order) which called for a reprimand and required Licensee to complete continuing medical education related to medical record-keeping and the treatment of major depression.
9. In the event of violation of the Illinois order, the order provides for automatic, immediate and indefinite suspension of Licensee's Illinois license.

10. Licensee and the Illinois Agency entered the Illinois order to resolve allegations, under investigation by the Illinois Agency, that Licensee accessed and edited medical documentation to favor her position in litigation.
11. The Illinois order constitutes final disciplinary action against a license issued to Licensee in another state.
12. The above constitutes cause to discipline Licensee's license pursuant to sections 334.100.2(8), 334.100.4 and 334.102.7(1)(b), RSMo.

## II. JOINT CONCLUSIONS OF LAW

13. Cause exists to discipline Licensee's license pursuant to sections 334.100.2(8), 334.100.4, and 334.102.7(1)(b), RSMo, which state as follows:

334.100.2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

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(8) Revocation, suspension, restriction, modification, limitation, reprimand, warning, censure, probation or other final disciplinary action against the holder of or applicant for a license or other right to practice any profession regulated by this chapter by another state, territory, federal agency or country, whether or not voluntarily agreed to by the licensee or applicant, including, but not limited to, the denial of licensure, surrender of the license, allowing the license to expire or lapse, or discontinuing or limiting the practice of medicine while subject to an investigation or while actually under investigation by any licensing authority, medical facility, branch of the Armed Forces of the United States of America, insurance company, court, agency of the state or federal government, or employer;

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334.100.4. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, warn, censure or place the person named in the complaint on probation on such terms and conditions as the board deems

appropriate for a period not to exceed ten years, or may suspend the person's license, certificate or permit for a period not to exceed three years, or restrict or limit the person's license, certificate or permit for an indefinite period of time, or revoke the person's license, certificate, or permit, or administer a public or private reprimand, or deny the person's application for a license, or permanently withhold issuance of a license or require the person to submit to the care, counseling or treatment of physicians designated by the board at the expense of the individual to be examined, or require the person to attend such continuing educational courses and pass such examinations as the board may direct.

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334.102.7(1) The board may initiate a hearing before the board for discipline of any licensee's license or certificate upon receipt of one of the following:

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(b) Evidence of final disciplinary action against the licensee's license, certification or registration issued by any other state, by any other agency or entity of this state or any other state or the United States or its territories, or any other country;

14. Licensee's conduct, as established by the foregoing facts, falls within the intendments of sections 334.100.2(8), 334.100.4 and 334.102.7(1)(b), RSMo.
15. Cause exists for the Board to take disciplinary action against Licensee's license under sections 334.100.2(8), 334.100.4 and 334.102.7(1)(b), RSMo.

### III. CONSENT ORDER ON DISCIPLINE

Based on the foregoing, the parties mutually agree and stipulate that the following shall constitute the disciplinary order entered by the Board in this matter under the authority of section 621.110, RSMo. This agreement, including the disciplinary order, will be effective immediately on the date entered and finalized by the Board. The following are the terms of the disciplinary order:

16. The physician and surgeon's license issued to Licensee by the Board, License No. 101417, is hereby subject to PUBLIC REPRIMAND.
17. If Licensee is licensed in other jurisdictions, she shall forward written notice of this disciplinary action to the medical licensing authorities of those jurisdictions within thirty (30) days of the effective date of this agreement. Licensee shall submit to the Board a copy of the written

notice contemporaneously with sending it to the relevant licensing authority. If Licensee is not licensed in other jurisdictions, she shall notify the Board of that fact, in writing, within thirty (30) days of the effective date of this agreement.

18. Licensee shall, within thirty (30) days of the effective date of this agreement, forward written notice of this disciplinary action to all employers, hospitals, nursing homes, out-patient centers, clinics, and any other facility where Licensee practices or has privileges. Licensee shall, contemporaneously with the giving of such notice, submit to the Board a copy of the notice for verification by the Board or its designated representative. If Licensee does not have an employer, staff privileges or practice at any facility, she shall notify the Board of that fact, in writing, within thirty (30) days of the effective date of this agreement.
19. Licensee shall, within thirty (30) days of the effective date of this agreement, forward written notice of this disciplinary action to any allied health care professionals supervised by Licensee. Licensee shall, contemporaneously with the giving of such notice, submit to the Board a copy of the notice for verification by the Board or its designated representative. If Licensee does not supervise any allied health professionals, she shall notify the Board of that fact, in writing, within thirty (30) days of the effective date of this agreement.
20. For purposes of this agreement and unless otherwise specified herein, all reports, documentation, evaluations, notices, or other materials Licensee is required to submit to the Board in this agreement shall be forwarded to the State Board of Registration for the Healing Arts, Attention: Enforcement, P.O. Box 4, Jefferson City, Missouri 65102.
21. This agreement does not bind the Board or restrict the remedies available to it concerning any other violation of Chapter 334, RSMo, by Licensee not specifically mentioned in this document, either currently known to the Board or later discovered.
22. Licensee hereby waives and releases the Board, its members, and any of its employees, agents, or attorneys, including any former board members, employees, agents, and attorneys, of, or from, any liability, claim, actions, causes of action, fees, costs and expenses,

and compensation, including, but not limited to any claims for attorney's fees and expenses, including any claims pursuant to section 536.087, RSMo, or any claim arising under 42 USC 1983, which may be based upon, arise out of, or relate to any of the matters raised in this agreement, or from the negotiation or execution of this agreement. The parties acknowledge that this paragraph is severable from the remaining portions of this agreement in that it survives in perpetuity even in the event that any court of law deems this agreement or any portion thereof void or unenforceable.

LICENSEE

BOARD

Webster, MD 1/15/19  
Metodia J. Webster, M.D. Date  
Licensee

Connie Clarkston 1/24/19  
Connie Clarkston Date  
Executive Director

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Attorney for Licensee Date  
Missouri Bar No. \_\_\_\_\_

Jana C. Jacobs 1/22/2019  
Jana C. Jacobs Date  
Associate General Counsel  
Missouri Bar No. 69150

EFFECTIVE THIS 24<sup>th</sup> DAY OF January, 2019.