

STATE OF NEBRASKA
DEPARTMENT OF HEALTH AND HUMAN SERVICES

JUN 14 2023

STATE OF NEBRASKA ex rel. MICHAEL
T. HILGERS, Attorney General,

Plaintiff,

vs.

KING, WILLIAM,

Defendant.

DHHS Hearing Office

230609 MD

ORDER ON
AGREED SETTLEMENT

A proposed Agreed Settlement was filed with the Department on June 7, 2023.

ORDER

1. The Agreed Settlement is adopted, attached hereto and incorporated by reference.
2. The facts as set out in the Petition are taken as true and adopted herein.
3. The parties shall comply with all of the terms of the Agreed Settlement.

Date:

June 14, 2023

Timothy Tesmer, MD
Chief Medical Officer
Division of Public Health
Department of Health and Human Services

Civil penalty, if imposed, should be mailed to: DHHS, Division of Public Health, Licensure Unit, ATTN: Diane Pearson, P.O. Box 94986, Lincoln, NE 68509.

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was sent on the date below by certified United States Mail, postage prepaid, return receipt requested, and/or electronically to the following:

ANDY STROTMAN
ATTORNEY AT LAW
6940 O ST STE 400
LINCOLN NE 68508
MINDY LESTER
ASSISTANT ATTORNEY GENERAL
AGO.HEALTH@NEBRASKA.GOV

Date:

June 14, 2023

DHHS Hearing Office
P.O. Box 98914
Lincoln, NE 68509-8914
P. (402) 471-7237 F. (402) 742-2376
dhhs.hearingoffice@nebraska.gov

7011 1570 0001 7613 9258

**STATE OF NEBRASKA
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC HEALTH**

**STATE OF NEBRASKA ex rel.
MICHAEL T. HILGERS,
Attorney General,**

Plaintiff,

v.

WILLIAM N. KING, M.D.,

Defendant.

AGREED SETTLEMENT

The Plaintiff and Defendant, William N. King, M.D., in consideration of the mutual covenants and agreements contained herein, agree as follows:

1. The Defendant, William N. King, M.D., was issued a physician license (#30478) by the Nebraska Department of Health and Human Services Division of Public Health ("Department").
2. The Defendant acknowledges receipt of a copy of the Petition for Disciplinary Action and waives the need for further services of the Petition upon him.
3. Before disciplinary measures may be taken against the Defendant's license, the Defendant is entitled to a hearing as provided by law. The Defendant waives the right to a hearing. The Defendant waives any right to judicial review of an order by the Department's Chief Medical Officer which approves the terms of this Agreed Settlement.
4. No coercion, threats, or promises, other than those stated herein, were made to the Defendant to induce him to enter into this Agreed Settlement.
5. The Defendant acknowledges that he also holds an expired license to practice as a physician in New Jersey.

6. The Defendant acknowledges that he has read the Petition for Disciplinary Action filed by the Nebraska Attorney General's Office. The Defendant admits the allegations of the Petition for Disciplinary Action.

7. The Plaintiff and the Defendant consent to the entry of a final disciplinary order by the Chief Medical Officer which finds the allegations of the Petition are true and censures the Defendant's physician license and imposes a civil penalty in the amount of FIVE THOUSAND DOLLARS (\$5,000.00). The civil penalty shall be payable in full within twenty-four (24) months from the date the Chief Medical Officer enters a disciplinary order in accordance with this Agreed Settlement. In the event the Defendant fails to pay the civil penalty in full by the stated deadline, the Chief Medical Officer may summarily suspend the Defendant's physician license, which suspensions shall remain in effect until the civil penalty is paid in full.

8. The Plaintiff and the Defendant further consent to the Chief Medical Officer ordering the Defendant to successfully complete the ProBE Ethics Course within six (6) months of the date of the entry of the order. The Defendant shall provide copies of his entire disciplinary history with the Nebraska Department of Health and Human Services, as well as any other documentation requested by ProBE, to ProBE as part of course participation. The Defendant shall further facilitate any collateral contacts requested by ProBE facilitators as part of the evaluation. The Defendant shall provide proof to the Department, as directed, that he has successfully completed the course. The Defendant shall provide the Department with a true and accurate copy of any and all evaluations completed as part of the course and shall comply with any recommendations made as a result of his participation in ProBE. The Defendant shall provide a copy of any final written

work completed by him during the program to the Department. In the event the Defendant fails to successfully complete the course by the stated deadline, the Chief Medical Officer may summarily suspend the Defendant's license, which suspension shall remain in effect until the course is successfully completed.

9. The Attorney General has given notice of this Agreed Settlement to the Board of Medicine and Surgery and has received their input in accordance with Neb. Rev. Stat. § 38-190 (Reissue 2016).

10. If this Agreed Settlement is not approved by the Chief Medical Officer, this Agreed Settlement shall become null and void and will not be admissible for any purpose at any hearing that may be held on this matter.

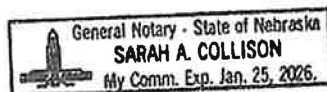
AGREED TO:

BY:

William N. King, M.D.
Defendant

State of Nebraska)
County of Douglas) ss.
~~County of Lancaster~~)

Acknowledged before me by William N. King, M.D., on this 30 day of May, 2023.




Notary Public
My Commission Expires:

(ADDITIONAL SIGNATURES ON FOLLOWING PAGE)

STATE OF NEBRASKA, ex rel. MICHAEL T.
HILGERS, Attorney General,
Plaintiff,

BY: MICHAEL T. HILGERS, #24483
Attorney General

BY: 
Mindy L. Lester, #24421
Assistant Attorney General
2115 State Capitol
Lincoln, NE 68509
(402) 471-1815

Attorneys for the Plaintiff.

FILED

STATE OF NEBRASKA
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC HEALTH

JUN 7 2023

DHHS Hearing Office

STATE OF NEBRASKA ex rel. MICHAEL)
T. HILGERS, Attorney General,)

Plaintiff,)

vs.)

WILLIAM N. KING, M.D.,)

Defendant.)

PETITION FOR
DISCIPLINARY ACTION

The Plaintiff alleges as follows:

ALLEGATIONS COMMON TO ALL CAUSES OF ACTION

1. Jurisdiction is based on Neb. Rev. Stat. §§ 38-176 (Reissue 2016) and 38-186 (2020 Cum. Supp.).
2. At all times relevant herein, the Defendant, William N. King, M.D., has been a license (#30478) to practice as a physician and surgeon issued by the Department of Health and Human Services Division of Public Health ("Department").
3. The Department is the agency of the State of Nebraska authorized to enforce the provisions of the Uniform Credentialing Act regulating the practice of medicine and surgery.
4. The Nebraska Board of Medicine and Surgery considered the investigation of this matter and made a disciplinary recommendation to the Attorney General, which recommendation has been considered. Such matters are privileged pursuant to Neb. Rev. Stat. §§ 38-1,105 and 38-1,106 (Reissue 2016).
5. On September 14, 2020, the United States Air Force Court of Criminal Appeals entered an Order wherein a general court-martial for one specification of willful

dereliction of duty and one specification of fraternization were affirmed and the following findings occurred:

- a. The Defendant is a psychiatrist who provided care for Patient A from October 2015 until February 5, 2016.
 - b. The General Court Martial convicted the Defendant of dereliction of duty in violation of Article 92 of the Uniform Code of Military Justice for willfully refraining to seek sexual activity with a patient who was receiving or had previously received his psychological services. The elements of this offense included proof that Defendant knew of this duty.
 - c. The General Court Martial also convicted Defendant of fraternization in violation of Article 134 of the Uniform Code of Military Justice for sending Patient A messages of a sexual nature.
 - d. The convictions appear to be based on conduct occurring between February 13, 2016 and March 31, 2016.
6. Neb. Rev. Stat. § 38-178(5) (Cum. Supp. 2020) provides that a professional

license may be disciplined for conviction of any misdemeanor or felony under Nebraska or federal law or a crime in any jurisdiction which, if committed in Nebraska, would constitute a misdemeanor or felony and which has a rational connection to the fitness or capacity to practice the profession.

7. The Defendant's 2020 Court Martial, as set forth above is grounds for discipline.

PRAYER FOR RELIEF

WHEREFORE, the Plaintiff prays that the Chief Medical Officer set this matter for hearing, order appropriate disciplinary action concerning the Defendant's license to practice as a physician in the State of Nebraska pursuant to Neb. Rev. Stat. § 38-196 (Reissue 2016), and tax the costs of this action to the Defendant.

STATE OF NEBRASKA, ex rel.

MICHAEL T. HILGERS,
Attorney General,
Plaintiff,

BY: MICHAEL T. HILGERS,
#24483
Attorney General

By:

Mindy L. Lester, #24421
Assistant Attorney General
2115 State Capitol
Lincoln, NE 68509-8920
(402) 471-1815

Attorneys for the Plaintiff.