

Licensure Verification

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The following disciplinary information exists for the professional selected:

Name:	Profession:	Lic #:
Slay, Jerry L.	Medical Doctor	12549

ACTION	REASON	EFFECTIVE DATE
Agreed Order: Physicians Health Program contract	Personal misuse	8/31/1984
License suspended; cannot apply to lift suspension for 6 months	Violation of a Board order	8/20/1985
Suspension lifted;Must contract with the Impaired Physician Program with progress reports to the Board;Probation for 5 yrs;Surrender DEA certificate;Shall not reapply for DEA certificate for a period of 3 years	Order modification request	11/21/1985
May reapply for DEA certificate;Shall submit to monthly random urine drug screens for 12 months;All other terms of previous order remain in effect	Order modification request	2/19/1988
Request to lift probation granted	Order modification request	5/30/1989
Summary suspension	Medically unable to safely practice medicine	3/21/1990
License restored in full;Probation for 5 years;Must appear before Board prior to lifting of probation;Authority to dispense and prescribe controlled substances is hereby restored; Status of DEA certificate should be addressed to the DEA;During probationary period shall comply with all terms of Impaired Physician's Program contract	Order modification request	5/22/1991
Probation lifted; must maintain advocacy with Physicians Health Program	Order modification request	10/21/1996
Agreed Order-License suspended indefinitely;Surrender DEA certificate with proof to the Board;Remain in treatment for addiction disease with progress reports to the Board upon request;Must reobtain the advocacy of the Tennessee Medical Foundation;Personally appear before Board to request lifting of suspension and provide proof of compliance	Unprofessional conduct;Personal misuse of drugs/intoxicants;Inappropriate and/or illegal prescribing practices;Engaging in the practice of medicine when mentally or physically unsafe to do so	5/23/2001
Request to have Agreed Order modified granted; suspension lifted; shall not re-apply for DEA certificate at any time; maintain lifetime contract with TMF.	Petitioner's request.	10/1/2002 View Board Order
License revoked, assessed costs.	Unprofessional, dishonorable or unethical conduct; and violation or attempted violation, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this chapter or any lawful order of this board pursuant thereto.	10/6/2008 View Board Order

1606_12549_100102
STATE OF TENNESSEE
DEPARTMENT OF HEALTH

IN THE MATTER OF:)	BEFORE THE BOARD OF
)	MEDICAL EXAMINERS
JERRY L. SLAY, M.D.)	
Petitioner/Respondent)	Docket Number: 17.18-01567A
)	
Brentwood, Tennessee)	
License No. 12549)	

ORDER MODIFICATION

This matter came to be heard before the Tennessee Board of Medical Examiners on the 17th day of September, 2002, pursuant to an Order modification request filed by the Respondent. The State was represented by Robert A. O'Connell, Assistant General Counsel. The Respondent was present. After consideration of the previous Order, testimony, arguments of counsel and the record as a whole, the Board found as follows:

FINDINGS OF FACT

1. On May 22, 2001, Petitioner/Respondent signed an Agreed Order in which he admitted to certain facts which establish a violation of Tennessee Code Annotated § 63-6-214(b)(1), T.C.A. § 63-6-214(b)(2), T.C.A. § 63-6-214(b)(5), T.C.A. § 63-6-214(b)(12), T.C.A. § 63-6-214(b)(13), T.C.A. § 63-6-214(b)(14) and T.C.A. § 63-6-214(b)(18). Petitioner/Respondent agreed to

have his license to practice medicine suspended for an indefinite period of time which provided:

- a. Respondent's license to practice medicine is SUSPENDED for an indefinite period of time.
- b. Respondent must surrender his U. S. Drug Enforcement Administration registration certificate immediately. Respondent must provide written proof of the surrender of the DEA certificate to the Board. The written proof must be sent by certified mail to: Tennessee Board of Medical Examiners, Attn: Linda Hudgins, 1st Floor Cordell Hull Building, 425 Fifth Avenue North, Nashville, Tennessee 37247-1010. Further, the Respondent shall not reapply for a U. S. Drug Enforcement Administration certificate until he has been given permission by the Board of Medical Examiners to do so.
- c. Respondent must remain in treatment for his addiction disease and sign a release with each health care services agency or practitioner that provides the Respondent with treatment for his addiction disease so that each such provider of services to the Respondent may report to the Board, if requested by the Board, the Respondent's treatment progress.
- d. Respondent must re-obtain the advocacy of the Tennessee Medical Foundation.
- e. Respondent shall petition and personally appear before the Board of Medical Examiners pursuant to Tenn. Admin. Comp. 0880-2-.12(d)(1) to have the suspension of his medical license lifted. Petitioner should be able

to show that all conditions of the suspension have been met, if and when he petitions for the lifting of the suspension of his medical license.

- f. Any violation of the terms of this lawful Order shall be considered a violation of the Tennessee Medical Practice Act pursuant to T. C. A. § 63-6-214(b)(2) and a new Notice of Charges may be issued and the Department of Health may ask for further discipline, up to and including revocation of the Respondent's medical license.
2. The aforementioned Order was ratified by the Board and became effective on the 22nd day of May, 2001.
3. Since the Agreed Order was entered, Respondent/Petitioner has maintained the advocacy of the Tennessee Medical Foundation and has otherwise met all conditions of the suspension.
4. By telephone, the Respondent/Petitioner, requested to appear before the Board of Medical Examiners.
5. On September 17, 2002, Respondent/Petitioner duly appeared before the Board of Medical Examiners and presented evidence that he had successfully fulfilled all requirements of the Board's prior order.

CONCLUSIONS OF LAW

Pursuant to T.C.A. 63-6-101, the Board may discipline a license, and the Board interprets this statute to include modification of any discipline of a license to practice

medicine as a physician in the State of Tennessee. The facts found to be true, as noted above, justify the granting of the petitioner's Order modification request.

REASON FOR DECISION

The Board of Medical Examiners takes this action to protect the safety, health, and welfare of the citizens of the State of Tennessee.

Therefore, it is **ORDERED** as follows:

1. Petitioner/Respondent's request to have his Agreed Order modified is **GRANTED**.
2. Petitioner/Respondent's suspension is lifted as of the effective date of this Order.
3. Petitioner/Respondent shall not re-apply for a U. S. Drug Enforcement Agency registration certificate at any time.
4. Petitioner/Respondent shall maintain a lifetime contract with the Tennessee Medical Foundation.

So **ORDERED** this _____ day of _____, 2002 by the Tennessee Board of Medical Examiners.

Panel Chairman
Tennessee Board of Medical Examiners

Prepared for Entry:

Robert A. O'Connell
Assistant General Counsel
Tennessee Department of Health
Tennessee Tower, 26th Floor
312 Eighth Avenue North
Nashville, Tennessee 37247-0120
(615) 741-1611

This Order was received for filing in the Office of the Secretary of State, Administrative Procedures Division, and became effective on the _____ day of _____, 2002.

Charles C. Sullivan, II, Director
Administrative Procedures Division

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this document has been served by United States mail, postage prepaid, upon the Respondent at:

Jerry L. Slay, M.D.
1509 Daphne Place
Brentwood, Tennessee 37027

this the _____ day of _____, 2002.

Robert A. O'Connell
Assistant General Counsel



STATE OF TENNESSEE
DEPARTMENT OF HEALTH
Bureau of Health Licensure and Regulation
Division of Health Related Boards
227 French Landing, Suite 300
Heritage Place
Nashville, TN 37243

PHIL BREDESEN
GOVERNOR

SUSAN R. COOPER, MSN, RN.
COMMISSIONER

Board of Medical Examiners

September 5, 2008

**AGREED CITATION
PHILOMINA PRESENTATION, M.D.
LICENSE #34510**

WHEREAS, Respondent is licensed as a medical doctor in the State of Tennessee by the Tennessee Board of Medical Examiners, license number **34510**; and

WHEREAS, Respondent has failed to properly maintain sufficient continuing education credits in violation of Tenn. Code Ann. **§§ 63-6-233 and 63-6-214(b)(3)**; and

WHEREAS, Respondent admits that this violation occurred and does not wish for this matter to be further prosecuted by the State of Tennessee; and

WHEREAS, Respondent acknowledges that Respondent is aware that he or she has a right to a hearing before the Tennessee Board of Medical Examiners. At such hearing, Respondent acknowledges that he or she is aware that he or she may be represented by counsel if he or she so chooses. Moreover, Respondent acknowledges and is fully aware that no civil penalty may be assessed against him or her and no formal action may be taken against his or her license without being provided the opportunity for a hearing before the Tennessee Board of Medical Examiners. Respondent acknowledges and understands that by signing this Agreed Citation and paying a civil penalty of **Eighty Dollars (\$80.00)**, representing a penalty of forty dollars (\$40.00) per delinquent credit hour, and providing proof of completion of the required number of continuing education credits, the Respondent waives his or her right to a hearing as described herein and provided for in the Administrative Procedures Act found at Tenn. Code Ann. § 4-5-301 et seq.; and

WHEREAS, Respondent admits to the failure to obtain **two (2) hours** of required continuing education credits; and

WHEREAS, Respondent acknowledges and understands that if the Respondent does not

sign this citation and return it along with a check or money order made out to the State of Tennessee for the prescribed amount within thirty (30) days, then a formal contested case proceedings could be initiated in which the Tennessee Board of Medical Examiners is authorized to assess civil penalties of up to one thousand dollars (\$1,000.00) for each violation of applicable law and the Board could refuse to renew the Respondent's license or the Respondent's license could be suspended or revoked.

THEREFORE, Respondent, by signing below agrees to the terms of this citation and remit a civil penalty in the amount **Eighty Dollars (\$80.00)**. The Respondent further agrees to provide proof to the Board of completion of **two (2) hours** of continuing education, the amount determined to be deficient within **one hundred and eighty (180) days** of ratification of this citation by the Board. Additionally, Respondent agrees to complete an additional **ten (10) hours** continuing education hours within **two (2) years** of ratification of this Agreed Citation. Furthermore, Respondent executes this citation for the sole purpose of avoiding further administrative proceedings with respect to this violation. Respondent hereby expressly waives all further procedural steps and expressly waives all rights to seek judicial review of or to challenge or contest the validity of this citation. Respondent acknowledges that this citation is subject to Board approval and agrees that consideration of this citation shall not prejudice the Board in any future proceeding should the Board not approve this citation. Respondent further acknowledges and understands that this citation will be reported on the Department of Health's Disciplinary Action Report and appear on the Department of Health's Website.

AGREED BY:

Philominia Presentation MD
Philominia Presentation, M.D.
Respondent (License #34510)

9/12/08
Date

Charles W. White
~~Mitchell L. Mutter, M.D., President~~ **Charles White, MD**
Tennessee Board of Medical Examiners

9/23/08
Date

Matthew J. Scanlan
Matthew J. Scanlan, Esq., Deputy General Counsel
Tennessee Department of Health

9-23-08
Date

**STATE OF TENNESSEE
DEPARTMENT OF HEALTH**

IN THE MATTER OF:)	BEFORE THE TENNESSEE BOARD
)	OF MEDICAL EXAMINERS
JERRY L. SLAY, M.D.)	
RESPONDENT)	DOCKET NO. 17.18-097581A
)	
BRENTWOOD, TENNESSEE)	
TENNESSEE LICENSE NO. 12549)	

FINAL ORDER

This matter came to be heard before the Tennessee Board of Medical Examiners (hereinafter “the Board”) on the 24th day of September, 2008, pursuant to a Notice of Charges and Memorandum for assessment of Civil Penalties issued against the Respondent. Presiding at the hearing was the Honorable Joyce Grimes-Safley, Administrative Judge, assigned by the Secretary of State. The Division of Health Related Boards of the Tennessee Department of Health (hereinafter “the State”) was represented by Andrea Huddleston, Assistant General Counsel. The Respondent was present and represented by counsel, Kristin Fecteau. After consideration of the Notice of Charges, argument of counsel, and the record as a whole, the Board finds as follows:

I. FINDINGS OF FACT

1. Respondent has been at all times pertinent hereto licensed by the Board as a medical doctor in the State of Tennessee, having been granted Tennessee medical license number 12549 by the Board on March 25, 1980.
2. On May 23, 2001, the Board entered a ratified Agreed Order in the matter of Jerry L.

Slay, M.D., Docket No.: 17.18-01567A. Pursuant to that Order, Respondent's license to practice medicine was placed on suspension for an indefinite period of time and Respondent surrendered his U.S. Drug Enforcement Agency registration certificate to prescribe until the Board gave permission for Respondent to reapply for U.S. Drug Enforcement Agency registration. Respondent was also ordered to remain in treatment for his addiction and re-obtain the advocacy of the Tennessee Medical Foundation.

3. On October 1, 2002, the Board entered a ratified Order Modification lifting the suspension from Respondent's medical license with the condition that Respondent maintain a lifetime contract with the Tennessee Medical Foundation and that Respondent not re-apply for his U.S. Drug Enforcement Agency registration certificate at any time.
4. On January 10, 2007, April 19, 2007, and again on July 23, 2007, the Division received notification from the Tennessee Medical Foundation that Respondent no longer has the Tennessee Medical Foundation's advocacy.

II. CONCLUSIONS OF LAW

The facts as alleged in Section I of this Order are sufficient to establish violations by the Respondent of the following statutes or rules which are part of the provisions of the Tennessee Medical Examiners Practice Act, (TENN. CODE ANN. § 63-6-101, *et seq.*) for which disciplinary action before and by the Board of Medical Examiners is authorized:

5. The facts as found in Section I, paragraphs 1 through 4, *supra*, constitute a violation of TENN. CODE ANN. § 63-6-214(b)(1):
Unprofessional, dishonorable or unethical conduct.

6. The facts as found in Section I, paragraphs 1 through 4 *supra*, constitute a violation of TENN. CODE ANN. § 63-6-214(b)(2):

Violation or attempted violation, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this chapter or any lawful order of the board issued pursuant hereto, or any criminal statute of the state of Tennessee.

III. POLICY STATEMENT

The Tennessee Board of Medical Examiners takes this action in order to protect the health, safety and welfare of the citizens of the State of Tennessee.

IV. ORDER

IT IS, THEREFORE, **ORDERED, ADJUDGED and DECREED** as follows:

7. The Tennessee medical license of Jerry L. Slay, M.D., license number 12549, shall be and is hereby **REVOKED**.
8. The Respondent shall pay, pursuant to TENN. CODE ANN. §§ 63-6-214(k) and 63-1-144, all costs allowable by law associated with the prosecution of this matter. These costs will be established by an Affidavit of Costs prepared and filed by counsel for the Department and shall not exceed seven thousand dollars (\$7,000.00). Any and all costs shall be paid in full within thirty (30) days of the Respondent's receipt of the Affidavit of Costs. Execution may issue if necessary.

V. NOTICE

9. Any and all civil penalty and cost payments shall be made by **cashier's check, money order or certified check**, payable to the **State of Tennessee**, Department of Health. Any and all payments shall be forwarded to the **Disciplinary Coordinator, State of Tennessee, Bureau of Investigations, Heritage Place Metro Center, 3rd Floor, 227 French Landing, Suite 201, Nashville, Tennessee 37243**.

So **ORDERED** by the Tennessee Board of Medical Examiners this _____ day of _____, 2008.

Sudhi D. Ali, M.D.
Panel Chairperson
Tennessee Board of Medical Examiners

RECONSIDERATION, ADMINISTRATIVE RELIEF AND JUDICIAL REVIEW

Within fifteen (15) days after the entry of an initial or final order, a party may file a petition to the Board for reconsideration of the Final Order. If no action is taken within twenty (20) days of filing of the petition with the Board, it is deemed denied. TENN. CODE ANN. § 4-5-317 (Supp. 2002).

In addition, a party may petition the Board for a stay of the Final Order within seven (7) days after the effective date of the Final Order. TENN. CODE ANN. § 4-5-316 (1998).

Finally, a party may seek judicial review by filing a petition for review in the Chancery Court of Davidson County within sixty (60) days after the effective date of the Final Order. A petition for reconsideration does not act to extend the sixty (60) day period; however, if the petition is granted, then the sixty (60) day period is tolled and a new sixty (60) day period commences from the effective date of the Final Order disposing of the petition. TENN. CODE ANN. § 4-5-322 (Supp. 2002).

Prepared for entry:

Andrea Huddleston, B.P.R. #16155
Assistant General Counsel
Tennessee Department of Health
Office of General Counsel
220 Athens Way, Suite 210
Nashville, Tennessee 37243
(615) 741-1611

CERTIFICATE OF FILING

This Order was received for filing in the Office of the Tennessee Secretary of State, Administrative Procedures Division, and became effective on the _____ day of _____, 2008.

Thomas G. Stovall, Director
Administrative Procedures Division

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this document, as yet unsigned, has been served upon Respondent, Jerry L. Slay, M.D., through Respondent's attorney, Kristin Fecteau, Esq., 709 Taylor Street, P.O. Box 280240, Nashville, Tennessee 37228, by United States First Class Mail, Postage Pre-Paid, with sufficient postage thereon to reach its destination.

This 25th day of September, 2008.

Andrea Huddleston
Assistant General Counsel
Tennessee Department of Health

And a true and correct copy of this document as entered has been served upon Respondent, Jerry L. Slay, M.D., through Respondent's attorney, Kristin Fecteau, Esq., 709 Taylor Street, P.O. Box 280240, Nashville, Tennessee 37228, by delivering same in the United States First Class Postage Pre-Paid Mail, with sufficient postage thereon to reach its destination.

This ____ day of _____, 2008.

Andrea Huddleston
Assistant General Counsel
Tennessee Department of Health