

**STATE OF TENNESSEE  
DEPARTMENT OF HEALTH**

<b>IN THE MATTER OF:</b>	)	<b>BEFORE THE TENNESSEE BOARD OF MEDICAL EXAMINERS</b>
	)	
<b>VALERIE LOUISE AUGUSTUS, M.D.</b>	)	
<b>RESPONDENT</b>	)	<b>DOCKET NO: 17.18-191355A</b>
	)	
	)	
<b>GERMANTOWN, TENNESSEE</b>	)	
<b>TENNESSEE LICENSE NO. 28298</b>	)	

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**FINAL ORDER**

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This matter came to be heard before the Tennessee Board of Medical Examiners (hereinafter the "Board") on July 21, 2021, pursuant to a Notice of Charges and Memorandum for Assessment of Civil Penalties issued against Respondent. Presiding at the hearing was the Honorable Elizabeth Cambron, Administrative Judge, assigned by the Secretary of State. The Division of Health Related Boards of the Tennessee Department of Health was represented by Paetria P. Morgan, Esq., Senior Associate General Counsel. Respondent, Valerie Louise Augustus, M.D., (hereinafter "Respondent") was a pro se litigant. After consideration of the Notice of Charges, the evidence presented by both parties, and the record as a whole, the Board finds as follows:

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**I. FINDINGS OF FACT**

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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 28298 by the Board on June 14, 1996. Respondent's license will expire on February 28, 2022.

2. On May 2, 2018, the Board entered an Amended Final Order (May 2018 Order) mostly stemming from the Respondent violating the standard of care by using a riding crop, whip, or other object to make contact with mental health patients. The May 2018 Order required the Respondent to undergo an assessment with Vanderbilt Comprehensive Assessment Program (VCAP) and follow all recommendations from the VCAP. The VCAP recommended that Respondent engage in a course of monthly individual psychotherapy supervision with a therapist during her probationary period. Respondent violated the May 2018 Order by failing to engage in monthly individual psychotherapy supervision with a therapist.
3. The May 2018 Order also required the Respondent to pay the actual and reasonable costs of prosecuting the case. The costs assessed against the Respondent are \$50,000.00. Respondent violated the Amended Final Order by failing to pay the \$50,000.00 cost assessment.
4. On November 14, 2018, the Board entered an Order of Compliance lifting the suspension restriction from the Respondent's license and immediately placing the license on probation for three (3) years. Like the May 2018 Order, the Order of Compliance required the Respondent to follow the recommendations of the VCAP evaluation. Also, the Order of Compliance required the Respondent to cause the Tennessee Medical Foundation (TMF) to issue quarterly reports regarding the Respondent's psychotherapy supervision progress. Respondent violated the Order of Compliance by failing to participate in individual psychotherapy supervision and failing to enter into a contract with the TMF, which prevented the TMF from issuing quarterly reports regarding her psychotherapy supervision progress.

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**II. CONCLUSIONS OF LAW**

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The Findings of Fact are sufficient to establish that grounds for discipline of Respondent's medical license exist. Specifically, Respondent has violated the following statutes which are part of the Tennessee Medical Practice Act, (TENN. CODE ANN. § 63-6-101, *et seq.*) for which disciplinary action before and by the Board is authorized:

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

Unprofessional, dishonorable or unethical conduct [.]

- 6. The facts in paragraphs two (2) through four (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 thereto or any criminal statute of the state of Tennessee [.]

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**III. POLICY STATEMENT**

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

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**IV. ORDER**

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**NOW THEREFORE**, Respondent, for the purpose of avoiding further administrative action with respect to this cause, agrees to the following:

7. The Tennessee medical license of Valerie Louise Augustus, M.D. license number 28298, is hereby **SUSPENDED**, effective fourteen (14) days from the effective date of this Order.

The Respondent's license shall remain suspended until:

- a. Respondent enters into at least a three-year monitoring contract with the TMF to monitor her monthly psychotherapy supervision progress pursuant to the May 2018 Order and the November 2018 Order of Compliance;
- b. Responds pays ten thousand dollars (\$10,000.00) of the fifty thousand dollars (\$50,000.00) cost assessment to the Disciplinary Coordinator to the address listed below and enters into a payment plan to pay the remaining forty thousand dollars (\$40,000.00) and any additional costs and penalties for this case. The terms of the payment plan shall include the following:
  - i. No later than sixty (60) days from the date the ten thousand dollars (\$10,000.00) is received, the Respondent must began making monthly payments.
  - ii. The monthly payments must be at least one thousand dollars (\$1,000.00), and Respondent must make these monthly payments until the remaining forty thousand \$40,000.00 and additional cost and penalties of this case are paid in full; and
  - iii. The failure to make three (3) consecutive monthly payments shall cause the immediate suspension of the Respondent's license unless waived by the Board's Medical Consultant due to extenuating circumstances.

8. Once Respondent has satisfied the conditions detailed in paragraph seven (7) above, Respondent may petition the Board for an Order of Compliance to lift the suspension. As

part of her petition for an Order of Compliance, Respondent shall appear personally before the Tennessee Board of Medical Examiners unless appearance is waived by the Board's Medical Consultant.


9. Upon successful petition for an Order of Compliance lifting the suspension, Respondent's license shall immediately revert back to a probation status. Respondent's license shall remain on probation for at least three (3) years from the date the Respondent successfully petitions the Board for an Order of Compliance lifting the suspension of her license as referenced in paragraph eight (8) above.
  
10. With respect to the TMF:
  - i. Respondent shall cause the TMF to submit quarterly reports to the Board's Disciplinary Coordinator regarding the Respondent's psychotherapy supervision progress. The quarterly reports shall continue every three months after the date the initial quarterly report was submitted, and the quarterly reports from the TMF shall continue for at least three years and must be completed before petitioning for lifting of probation;
  - ii. Respondent must maintain advocacy with the TMF and must maintain one hundred percent (100%) compliance with all provisions and terms of her contract and any subsequent extension of the contract;
  - iii. Respondent shall cause the TMF to notify the Board's Disciplinary Coordinator in writing of any violation of the TMF contract; and
  - iv. Respondent shall immediately notify the Board's Medical Consultant if at any time Respondent no longer has the advocacy of TMF.

11. Once Respondent has satisfied all the conditions detailed in this Order, Respondent may petition the Board for an Order of Compliance to lift the probation. As part of her petition for an Order of Compliance, Respondent shall appear personally before the Tennessee Board of Medical Examiners.
12. During the suspension and probationary period, Respondent shall not serve as a collaborating physician or substitute collaborating physician.
13. Respondent shall maintain good and lawful conduct, and any violation of law that relates to the practice of medicine or Respondent's ability to safely and competently practice medicine will be a violation of the terms of this Order.
14. Respondent shall pay two (2) "Type B" civil penalties in the amount of five hundred dollars (\$500.00) each, representing a civil penalty for violating the May 2, 2018 Amended Final Order as well as the November 14, 2018 Order of Compliance.
15. Respondent must pay, pursuant to TENN. CODE ANN. § 63-6-214(k) and Rule 0880-02-.12(1)(j), the actual and reasonable costs of prosecuting this case to the extent allowed by law, including all costs assessed by the Office of Investigations, Secretary of State, Administrative Procedures Division, as well as the Office of General Counsel. These costs will be established by an Assessment of Costs prepared and filed by counsel for the Department. The maximum amount for the assessment of costs shall be eight thousand dollars (\$8,000.00).
16. Any and all costs shall be paid in full according to paragraph seven (7) by submitting a **certified check, cashier's check, or money order** payable to the State of Tennessee, which shall be mailed or delivered to: **Disciplinary Coordinator, The Division of Health Related Boards, Tennessee Department of Health, 665 Mainstream Drive, 2<sup>nd</sup> Floor,**

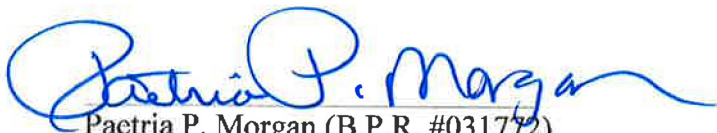
**Nashville, Tennessee 37243.** A notation shall be placed on said check that it is payable for the costs and civil penalties of Valerie Louise Augustus, M.D., Case No. 2019006361 & 2019039641.

17. Respondent understands that this is a formal disciplinary action and will be reported to the National Practitioner Data Bank (N.P.D.B.) and/or similar agency.

So **ORDERED** by the Tennessee Board of Medical Examiners this 21<sup>st</sup> day of July 2021.

  
Panel Chairperson  
Tennessee Board of Medical Examiners

**PREPARED FOR ENTRY:**

  
Patricia P. Morgan (B.P.R. #031772)  
Senior Associate General Counsel  
Office of General Counsel  
Tennessee Department of Health  
665 Mainstream Drive, 2<sup>nd</sup> Floor  
Nashville, Tennessee 37243  
(615) 741-1611

**RECONSIDERATION, ADMINISTRATIVE RELIEF AND JUDICIAL REVIEW**

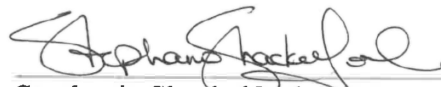
Within fifteen (15) days after the entry of an initial or final order, a party may file a petition to the Board for reconsideration of the Final Order. If no action is taken within twenty (20) days of filing of the petition with the Board, it is deemed denied. TENN. CODE ANN. § 4-5-317.

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.

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.

**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 26 day of July, 2021.



Stephanie Shackelford, Director  
Administrative Procedures Division



CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this document has been served upon Respondent, Valerie Louise Augustus, M.D., 2205 West Street, Germantown, TN 38138 by delivering same in the United States Mail, Certified Number 7020 3160 0001 1682 0887, return receipt requested, and United States First Class Postage Pre-Paid Mail, with sufficient postage thereon to reach its destination.

This 27<sup>th</sup> day of July, 2021.



Paetria P. Morgan  
Senior Associate General Counsel

TN SOS-APD Mon, Jul 26, 2021 02:00 PM : 9 of 9 pages received