



**Tennessee Board of Medical Examiners -
Special Panel**

Tuesday, January 24, 2023

MINUTES

The panel of the Tennessee Board of Medical Examiners was called to order at 2:00 p.m. in the Poplar Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Stacy Tarr, Executive Director.

Board members present: Melanie Blake, MD, President
 Deborah Christensen, MD, Board Member
 Randall Pearson, MD, Board Member

Staff present: Brittani C. Kendrick, JD, Office of General Counsel
 Michael Varnell, JD, Office of General Counsel
 Justin Harleman, JD, Office of General Counsel
 Stacy Tarr, Executive Director
 Yvette Williams, Administrative Director

Ms. Stacy Tarr made opening remarks to the Board and provided an overview of the requirements for a special meeting by teleconference. All of the requirements were satisfied. The electronic meeting was scheduled for the purpose of the Order of Summary Suspension in the matter of Adrian Buckner, MD, settlement orders in the matter of Rene Del Valle, MD, Sherry Hill, MD and Donald Gold, MD. The teleconference was then turned over to Ms. Brittani Kendrick, Office of General Counsel to give an overview of the Summary Suspension of Adrian Buckner, MD.

Adrian Buckner, MD – appeared before the Board via WebEx, no legal representative appeared on his behalf. Ms. Brittani Kendrick represented the State, stating the Board Summarily Suspended the license of Dr. Adrian Buckner, MD, on December 29, 2022. T.C.A 4-5-320(d)(1)(b), review of the recent summary action is an informal hearing for Dr. Buckner to present his version of the facts. The sole issue for the Board to consider is whether the public health, safety and welfare imperatively required the emergency action taken by the Board against Dr. Buckner’s license on December 29, 2022.

Dr. Buckner addressed the Board and stated he was suffering from exhaustion while taking care of his mother and was not practicing during that time, only writing prescriptions for his patients. Dr. Buckner stated he cannot discuss cases that are open in the courts at this time.

Upon discussion, Dr. Christensen made a motion to uphold the Summary Suspension the Board took on December 29, 2022, Dr. Pearson seconded the motion. A roll call vote was conducted by Ms. Tarr, which passed unanimously.

Rene C. del Valle, MD – did not appear before the Board nor did a legal representative. Ms. Brittani represented the State. Dr. Del Valle is licensed by the Board as a medical doctor in the State of Tennessee, having been granted Tennessee medical license number 17200 by the Board on July 2, 1986. Respondent’s license will expire on December 31, 2024. On or about July 20, 2011, Dr. Del Valle’s medical license was placed on probation pursuant to a Consent Order entered by the Board. On or about June 22, 2010, Respondent performed a surgery on patient, B.P., to remove an endometrial mass through the patient’s right groin. On or about June 27, 2010, patient, B.P., had to undergo a resection and replacement of her right iliac artery and vein as well as a right popliteal artery thrombectomy as a result of the procedure performed by Respondent on June 22, 2010. On or about April 15, 2012, Respondent performed a total abdominal hysterectomy on patient C.S. Patient C.S. was re-admitted to the hospital on or about April 16, 2012, with abdominal pain. It was discovered that patient C.S. had an abscess that contained fecal material as a result of a small intestine tear that occurred during the procedure the previous day. On or about May 15, 2012, Respondent performed a laparoscopic assisted vaginal hysterectomy for patient V.F. Patient V.F. was re-admitted to the hospital on or about May 18, 2012 with abdominal pain and a hematoma. It was discovered that patient V.F. had a recto-vaginal fistula, an ileus, and fluid at the surgical cuff as a result of the May 15, 2012 surgery. Both patient C.S. and V.F. were poor candidates for the surgical procedures Respondent performed due to previous, significant abdominal surgery and infections. The lack of post op treatment for both patients exacerbated complications. On or about October 26, 2012, Respondent performed a surgical procedure at his office that required Level III certification. At the time of the procedure, Respondent’s office was not certified as a Level III surgical center. From at least January 2013 to May 2013, Respondent supervised Advanced Practice Nurse, A.T., even though Respondent’s license was on probation during this time. On or about March 22, 2013, Respondent took a voluntary leave of absence from River Park Hospital in McMinnville, Tennessee. Following Respondent’s leave of absence and pursuant to River Park Hospital’s bylaws, on or about March 22, 2013 River Park CEO Timothy McGill sent Respondent a letter notifying Respondent that he may not exercise his clinical privileges at River Park while on leave of absence. During this leave of absence, several of Respondent’s obstetric patients presented to River Park for prenatal care or for delivery. Respondent failed to properly notify all his patients that he no longer had clinical privileges at River Park and as a consequence, several patients experienced delays in services and/or poor outcomes with the delivery of their babies. On or about November 14, 2018, the Board entered an Order of Compliance regarding Respondent’s probation pursuant to a Consent Order issued on or about July 20, 2011.

The Tennessee medical license of Rene C. del Valle, M.D., license number 17200, is hereby REPRIMANDED, effective the date of entry of this Consent Order. Respondent is assessed and must pay, pursuant to Rule 0880-02-.12(4) of the Official Compilation Rules and Regulations of the State of Tennessee, three (3) Type “B” Civil Penalties, in the amount of five hundred dollars (\$500.00) each, representative of the three (3) patients at issue in this case, supra, for a total Civil Penalty of One Thousand and Five Hundred Dollars (\$1,500.00).

Upon discussion, Dr. Christensen made a motion to accept the consent order of Rene C del Valle, MD, Dr. Pearson seconded the motion. A roll call vote was conducted by Ms. Tarr, which passed unanimously.

Donald Gold, MD - did not appear before the Board nor did a legal representative. Mr. Justin Harleman represented the State. Dr. Gold is licensed by the Board as a medical doctor in the State of Tennessee, license number 9580, granted on February 20, 1976, with a current expiration date of December 31, 2022. The Department conducted an investigation that included the review of twenty-five (25) of the patient records prepared and kept by the respondent, the names of those patients whose charts were reviewed have been provided to the Respondent by separate correspondence. From 2016 to present, Respondent provided

treatment for chronic pain to numerous patients which included prescribing large doses of narcotics and other controlled substances in amounts and/or for durations not medically necessary, advisable, or justified for diagnosed condition. Respondent prescribed controlled substances for his patients in escalating dosages and with the addition of other abuse potential medications, and Respondent did so without clear objective finding of a chronic pain source/other medical condition to justify the ongoing and increasing prescribing. Respondent routinely excessively prescribed Adderall to his patients in the amount of 61 – 120mg per day, when the recognized maximum dose for adults is 40mg per day, and any amounts in excess of that should only be in rare cases. Respondent failed to make appropriate, individualized diagnoses and/or failed to document adequate support for diagnoses sufficient to justify the treatment rendered and failed to integrate consultations, previous hospitalizations and other medical information into the treatment plan. Respondent failed to develop, document and monitor treatment plans for patients. Failed to adequately counsel patients. Respondent chose to close his practice in November 2022.

The Tennessee Medical License of Donald Gold, MD, license number 9580, is hereby Voluntarily Surrendered, same as revocation. Respondent agrees to permanently surrender his drug enforcement administration (DEA) registrations for Schedules II (two) thru V (five) of controlled substances and agrees to not seek reinstatement of his DEA privileges. Respondent shall pay maximum costs of One Thousand Dollars (\$1000.00).

Upon discussion, Dr. Christensen made a motion to accept the consent order of Donald Gold, MD, Dr. Pearson seconded the motion. A roll call vote was conducted by Ms. Tarr, which passed unanimously.

Sherry Hill, MD - did not appear before the Board nor did a legal representative. Mr. Michael Varnell represented the State. 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 54684 by the Board on September 15, 2016. Respondent's license is currently inactive as it expired on August 31, 2021. Respondent's medical license number 54684 was summarily suspended by the Tennessee Board of Medical Examiners on October 2, 2020 due to substance abuse and impairment. From April of 2020 through June of 2020, Respondent was employed as an emergency medicine physician by American Physician Partners. Through her employment with American Physician Partners, Respondent worked shifts in the emergency department at Indian Path Community Hospital in Kingsport, Tennessee. Respondent was scheduled to work a shift in the emergency department at Indian Path Medical Center from 7:00 p.m. on June 24, 2020 through 7:00 a.m. on June 25, 2020. At the beginning of this shift, Respondent was observed to be impaired by staff members at Indian Path Medical Center As a result of Respondent's behavior, at approximately 9:30 p.m. her supervisors at American Physician Partners, Dr. Lauren Py and Dr. John Mark Woodard, were notified that Respondent was suspected of being impaired at work. Dr. Py had a phone conversation with Respondent at approximately 10:30 p.m. regarding the allegation that Respondent was impaired. Based on this phone conversation, Dr. Py concluded Respondent was significantly impaired and not merely fatigued or drowsy. After the phone conversation with Dr. Py, Dr. Woodard arrived at Indian Path Medical Center at approximately 11:00 p.m. and met with Respondent. Dr. Woodard repeatedly asked Respondent to submit to testing for drugs and alcohol, but Respondent refused. As a result, Respondent was asked to leave Indian Path Medical Center and was fired by American Physician Partners. Respondent admitted to Dr. Py and Dr. Woodard that she consumed alcohol before work and stated that she did not want to take a drug and alcohol test because it would be positive. As a result of the events described in paragraphs two (2) through seven (7) above, the North Carolina Medical Board indefinitely suspended Respondent's North Carolina medical license retroactive to October 29, 2020 on December 22, 2021. Respondent entered into a recovery monitoring agreement with the North Carolina Professionals Health Program (NCPHP) on December 7, 2020. This Agreement is scheduled to end on December 7, 2025. NCPHP states that Respondent is in

compliance with this Agreement. Respondent's North Carolina Medical License was reinstated by the North Carolina Medical Board on June 3, 2022.

The Tennessee medical license of Sherry Leigh Hill, M.D. license number 54684, is hereby placed on PROBATION. The probation of Respondent's medical license is stayed until the Respondent's medical license is reinstated. Once the Respondent's medical license is reinstated, the license shall be placed on probation for a period of no less than two (2) years and until the expiration of her NCPHP monitoring agreement, which runs through December 7, 2025, and until the expiration of any other monitoring agreement respondent has in place. During the period of probation, if Respondent practices medicine in the State of Tennessee, Respondent shall within 30 days of beginning the practice of medicine in Tennessee: Enter into an aftercare agreement with the Tennessee Medical Foundation (TMF). Respondent shall cause the TMF to submit quarterly reports to the Board's Disciplinary Coordinator regarding the Respondent's compliance and progress. The initial quarterly report shall be submitted three months after an aftercare agreement is signed and shall continue every three months until Respondent is no longer under an aftercare agreement with the TMF.

ii. Respondent must maintain advocacy with the TMF and must maintain one hundred percent (100%) compliance with all provisions and terms of Respondent's TMF aftercare agreement and any subsequent extension thereof.

iii. Respondent shall cause the TMF to notify the Board's Disciplinary Coordinator in writing of any violation of the TMF aftercare agreement.

iv. Respondent shall immediately notify the Board's Medical Consultant and the Board's Disciplinary Coordinator if at any time Respondent no longer has the advocacy of the TMF. During the period of probation, if Respondent is not practicing medicine in the State of Tennessee:

i. Respondent shall cause the NCPHP or any other physician health program that she has a monitoring contract with to submit quarterly reports to the TMF and the Board's Disciplinary Coordinator regarding the Respondent's compliance and progress. The initial quarterly report shall be due three months after reinstatement of Respondent's Tennessee medical license and shall continue every three months until Respondent is no longer under a monitoring agreement with the NCPHP or any other physician health program.

ii. Respondent must maintain one hundred percent (100%) advocacy with the NCPHP or any other physician health program.

iii. Respondent shall immediately notify the Board's Medical Consultant and the Board's Disciplinary Coordinator if at any time Respondent no longer has the advocacy of the NCPHP or any other physician health program.

During the period of probation, Respondent shall maintain good and lawful conduct, and any violation of law that relates to the practice of medicine or Respondent's ability to practice medicine safely and competently will be a violation of the terms of this Order. In the event of any violation of this Order, Respondent shall receive a notice of action pursuant to Tenn. Code Ann. § 4-5-320 (c). At the expiration of the probationary period, Respondent becomes eligible to petition the Tennessee Board of Medical Examiners for an "Order of Compliance" lifting the restrictions imposed by this Consent Order. As part of his petition for an "Order of Compliance," Respondent shall appear personally before the Tennessee Board of Medical Examiners. Within 30 days of being placed on probation, Respondent must provide written documentation to the Board's disciplinary coordinator.

Upon discussion, Dr. Christensen made a motion to accept the consent order of Sherry Hill, MD, Dr. Pearson seconded the motion. A roll call vote was conducted by Ms. Tarr, which passed unanimously.

This concludes the Board of Medical Examiners panel.