SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING & REGULATION
BEFORE THE STATE BOARD OF MEDICAL EXAMINERS FOR SOUTH CAROLINA

IN THE MATTER OF: **ORRIN ABRAHAM WALKER, M.D.** License No. MMD.20273 (Lapsed) OIE # **2014-412** Respondent.	**FINAL ORDER** **(Public)**

This matter came before the State Board of Medical Examiners for South Carolina (Board) for a hearing on August 5, 2015 to consider the Memorandum of Agreement and Stipulations (MOA) signed by the above named respondent (Respondent). In the MOA, Respondent acknowledged the State was prepared to file a Formal Complaint, and Respondent waived the authorization and filing of a Formal Complaint as well as formal hearing procedures and elected to dispose of the matter pursuant to S.C. Code Ann. § 1-23-320(f) (2005, as amended) in lieu of, *inter alia*, a Panel Report of the Medical Disciplinary Commission.

A quorum of the Board was present. The hearing was held pursuant to S.C. Code Ann. §§40-1-90, 40-47-116 and the provisions of the Administrative Procedures Act, S.C. Code Ann. §1-23-10, *et seq*. (1976 as amended) to determine what sanctions, if any, were appropriate. After due consideration, the Board decided to impose the sanctions stated in this Order.

Megan Flannery, Assistant Disciplinary Counsel, represented the State. Respondent appeared *pro se* and waived his right to counsel on the record.

The Board considered the facts stipulated in the MOA, the admissions of violations in the MOA, the testimony of Respondent, and the August 3, 2015, Affidavit of Gregg Hinson, Investigator, Office of Investigations and Enforcement, South Carolina Department of Labor Licensing and Regulation, of a good faith estimate of investigative costs of $200.00 in this matter.

EVIDENCE

State's Exhibit #1 – Memorandum of Agreement
State's Exhibit #2 – Affidavit of Costs

FINDINGS OF FACT

Respondent stipulated in the MOA to the facts stated in paragraphs 1-5 below, which the

Board adopts, as well as stipulating to other confidential information known to him and the Board:

1. Respondent admits that at all times relevant to this matter, Respondent was duly licensed and registered to practice medicine in South Carolina under license number MMD.20273 and specialized in Family Medicine. This license was first issued in 1998 and is currently lapsed.

2. Respondent admits that at all times relevant to this matter, Respondent was also duly licensed and registered to practice medicine in North Carolina under license number 200000656 and specialized in Family Medicine. This license was first issued in 2000 and is currently indefinitely suspended.

3. Respondent admits that he was sanctioned by the North Carolina Medical Board (hereinafter "the NCMB") for fraudulently obtaining controlled substances for his personal use in a Consent Order dated August 8, 2014. The NCMB also found that Respondent was unable to practice medicine with reasonable skill and safety to patients when abusing the fraudulently obtained controlled substances.

4. Respondent admits that the Board issued a private Order Requiring Evaluation dated October 8, 2014, wherein the Board ordered Respondent to undergo evaluation by the Recovering Professional Program.

5. Respondent admits he was enrolled with RPP in response to the October 8, 2014 Order Requiring Evaluation. Respondent informed RPP that he had completed evaluation and a three-month in-patient treatment at Fellowship Hall Treatment Center in Greensboro, North Carolina. RPP received documentation from the North Carolina Physicians Health Program confirming Respondent's compliance and his Discharge Summary from Fellowship Hall. Respondent remains under monitoring through the North Carolina Physicians Health Program.

CONCLUSIONS OF LAW

1. Respondent admitted in the MOA that his conduct in this matter constitutes sufficient grounds for disciplinary or corrective action under South Carolina Code of Laws Ann. § 40-1-110, *et seq*. and South Carolina Code of Laws Ann. § 40-47-110 *et seq*. in the following particulars:

   A. Respondent violated S.C. Code Ann. §40-47-111 in that Respondent's acts or omissions caused the denial, cancellation, revocation, suspension, or restriction of his license to practice in another state, which would constitute misconduct in this State, and support the issuance of a Formal Complaint and the commencement of disciplinary proceedings.

2. The Board has jurisdiction in this matter and, upon finding that a licensee has violated any of the provisions of S.C. Code Ann. §§ 40-47-110 and 40-1-110 (2011), has the authority to cancel, fine, suspend, revoke, issue a public reprimand or private reprimand, or restrict, including probation or other reasonable action, such as requiring additional education or training or limitation on practice, the authorization to practice of a person who has engaged in misconduct. Additionally, the Board may require the licensee to pay a fine of up to twenty-five thousand dollars. S.C. Code Ann. §40-47-120 (2011).

3. Additionally, the Board may require the licensee to pay the costs of the disciplinary action. S.C. Code Ann. §§ 40-1-170 and 40-47-170 (2011).

4. The sanction imposed is consistent with the purpose of these proceedings and has been made after weighing the public interest and the need for the continuing services of qualified medical doctors against the countervailing concern that society be protected from professional ineptitude and misconduct.

5. The sanction imposed is designed not to punish the licensee, but to protect the life, health, and welfare of the people at large.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED that:

1. The MOA is accepted.
2. The Respondent has violated the Medical Practice Act.
3. Respondent's license to practice medicine is hereby indefinitely suspended.
4. Respondent is assessed $200.00 in administrative costs to be paid within one year of the date of this Order.

AND IT IS SO ORDERED.

STATE BOARD OF MEDICAL EXAMINERS
FOR SOUTH CAROLINA

BY: Stephen R. Gardner M.D
Stephen R. Gardner, M.D.
President of the Board

August 31, 2015