BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:	)	
	)	
Sean Michael Lynch, M.D.,	)	**CONSENT ORDER**
	)	
Respondent.	)	

This matter is before the North Carolina Medical Board ("Board") regarding information provided to the Board concerning Sean Michael Lynch, M.D. ("Dr. Lynch"). Dr. Lynch makes the following admissions, and the Board makes the following findings and conclusions:

STATUTORY AUTHORITY

The Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted to it in Article 1 of Chapter 90 of the North Carolina General Statutes and the rules and regulations promulgated thereto.

FINDINGS OF FACT

Dr. Lynch was first issued a license to practice medicine by the Board on or about May 16, 2002, license number 200200567.

At all times relevant hereto, Dr. Lynch practiced obstetrics and gynecology in Gastonia, North Carolina, and specialized in the minimally invasive repair of pelvic organ prolapse.

In December 2023, the Board received two complaints regarding Dr. Lynch within three days of each other. The first complaint alleged that while at a local restaurant/bar ("establishment"), Dr. Lynch had on multiple occasions shared detailed information and photographs about his patients with other patrons of the establishment. It was further alleged that the photographs were on Dr. Lynch's personal cell phone, depicted patients on the operating table, and were graphic.

The second complaint was from a female patron of the same establishment who had never met Dr. Lynch before. The complainant alleged that Dr. Lynch engaged her in conversation recounting detailed information of a procedure he had performed earlier that day. During this interaction, Dr. Lynch showed her graphic pictures on his cell phone of his patient on the operating table while she appeared to be unconscious. These photos did not show the patient's face nor contain any identifying information.

During the Board's investigation, Dr. Lynch was interviewed and admitted to showing a female patron of the establishment both internet stock photos depicting a prolapsed uterus as well as a photograph from a patient who he treated for that same condition. Dr. Lynch maintained that he did so to make conversation, illustrate the severity of the patient's condition, and that the photograph of the patient that he showed to the female patron did not contain any identifying information. As part of his response

to the investigation, Dr. Lynch submitted a written statement from a colleague who was with him on the occasions alleged and who supported his contentions regarding the circumstances where Dr. Lynch showed the photograph of his patient to another patron.

The picture of the patient on Dr. Lynch's cell phone that was shown to the female patron was taken without the patient's knowledge, was not part of her medical record, was shown to the female patron without the patient's consent and was not taken or shown for a valid medical purpose.

As part of the Board's investigation, Dr. Lynch submitted to a comprehensive examination by the North Carolina Professionals Health Program ("NCPHP"). On May 7, 2024, Dr. Lynch signed a five-year monitoring contract with NCPHP.

Dr. Lynch has fully cooperated throughout the Board's investigation and has demonstrated sincere remorse. In addition, the Board received eleven (11) letters of support from colleagues and patients attesting to Dr. Lynch's professional and personal character over the last twenty years.

CONCLUSIONS OF LAW

Dr. Lynch's conduct, as described above, constitutes unprofessional conduct, within the meaning of N.C. Gen. Stat. § 90-14(a)(6), including, but not limited to, a departure from, or the failure to conform to the ethics of the medical profession, or the committing of any act contrary to honesty, justice, or good

morals, which is grounds under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition, or limit Dr. Lynch's license to practice medicine or to deny any application he may make in the future.

PROCEDURAL STIPULATIONS

Dr. Lynch acknowledges and agrees that the Board has jurisdiction over him and over the subject matter of this case.

Dr. Lynch knowingly waives his right to any hearing and to any judicial review or appeal in this case.

Dr. Lynch, with the advice of legal counsel, acknowledges that he has read and understands this Consent Order and enters into it voluntarily.

Dr. Lynch desires to resolve this matter without the need for more formal proceedings and agrees not to contest the matters set forth herein in this case and any future proceeding involving the Board that is based on this matter.

The Board has determined that it is in the public interest to resolve this case as set forth below.

ORDER

NOW, THEREFORE, with Dr. Lynch's consent, it is ORDERED that:

1. Dr. Lynch is hereby REPRIMANDED.

2. Dr. Lynch's North Carolina license to practice medicine is hereby INDEFINITELY SUSPENDED. However, this suspension is immediately STAYED on the following terms and conditions.

a. Dr. Lynch shall maintain his current contract with NCPHP and abide by its terms, including the timely payment of any fees required by NCPHP.

b. Dr. Lynch shall complete a sixteen-hour Category I continuing medical education course ("CME") to be approved in advance by the Board's Office of Medical Director by contacting the Board's Monitoring Coordinator at boardmonitoring@ncmedboard.org within six (6) months of the date of this Consent Order.

c. Dr. Lynch shall submit evidence of completion of the above required CME course to the Board's Monitoring Coordinator within five (5) days of completing the course.

3. Dr. Lynch shall obey all laws. Likewise, he shall obey all rules and regulations involving the practice of medicine.

4. Dr. Lynch shall meet with the Board or members of the Board for an investigative interview at such times as may be requested by the Board.

5. Upon request, Dr. Lynch shall provide the Board with any information the Board deems necessary to verify compliance with the terms and conditions of this Consent Order.

6. If Dr. Lynch fails to comply with any of the terms of this Consent Order, that failure shall constitute unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and

shall be grounds, after any required notice and hearing, for the Board to annul, suspend, or revoke his license to practice medicine and to deny any application he might make in the future or then have pending for a license to practice medicine.

7. This Consent Order shall take effect immediately upon its execution by both Dr. Lynch and the Board, and it shall continue in effect until specifically ordered otherwise by the Board.

8. Should Dr. Lynch request relief from this Consent Order, the Board is under no obligation to grant the request and will consider all relevant facts, including Dr. Lynch's disciplinary history with the Board. Any request for relief shall be submitted to the Board's Monitoring Coordinator.

9. Dr. Lynch hereby waives any requirement under any law or rule that this Consent Order be served on him.

10. **Upon execution by Dr. Lynch and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be reported to persons, entities, agencies, and clearinghouses as required and permitted by law including, but not limited to, the Federation of State Medical Boards and the National Practitioner Data Bank.**

By Order of the North Carolina Medical Board this the 21st day of October, 2024.

NORTH CAROLINA MEDICAL BOARD

By: Christine Khandelwal, DO

Christine M. Khandelwal, D.O., MHPE
President

Consented to this the 15th day of October, 2024.

Sean Michael Lynch, M.D.

Sean Michael Lynch, M.D.

State of North Carolina

County of Gaston

I, Anna Petty, do hereby certify that Sean Michael Lynch, M.D. personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 15th day of October, 2024.

Anna Petty

Notary Public

(Official Seal)

My Commission Expires: 11/3/2027

Anna Petty
NOTARY PUBLIC
Gaston County, North Carolina
Commission Expires November 3, 2027