

1. Respondent admits, with respect to the allegations contained in paragraph 3 of the Administrative Complaint, and acknowledges that a Consent Order was entered by the State Board of Medical Examiners for the State of Georgia dated December 3, 1999, which Order placed the Respondent's license to practice medicine in the State of Georgia on probation subject to terms and conditions of probation as set out in the order, a certified copy of which was attached to the Administrative Complaint. Respondent further asserts that by order of the Georgia Composite State Board of Medical Examiners terminated the probation of the Respondent's license in the State of Georgia upon a finding that the Respondent has complied with all the terms and conditions contained in the December 3, 1999 order of the Board. Respondent admits, with respect to the allegations contained in paragraph 4, 5 and 6 of the Administrative Complaint, that her Alabama medical license renewal applications for the years 1998, 1999 and 2000 contained a "no" answer to the question: "To your knowledge, are you the subject of an investigation by any

licensing board/agency as of the date of this application within the past year?" Respondent admits that the responses were not correct, but were unintentional errors or omissions.

2. Respondent's applications had been filed prior to the entry of the Consent Order in Georgia on December 3, 1999. At the hearing for the approval and entry of the Consent Order, Respondent inquired of the hearing officer or a Georgia staff member what actions she needed to take in connection with her license to practice medicine in Alabama. Respondent was informed that a universal data bank in which the Consent Order would be entered was made available to all states in which she practiced medicine and that she needed to take no action to inform or report to Alabama.

3. Respondent's Georgia counsel likewise advised Dr. McBarron that all investigations and dispositions of these matters by the Georgia Composite State Board of Examiners were placed in a universal data bank of which Alabama State Board of Medical Examiners was a recipient, so that there was no need for further reporting to Alabama.

4. Respondent's certified public accountant prepared each of the Alabama Medical License Renewal Applications and Respondent executed each Renewal Application without review.

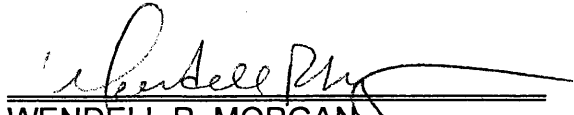
5. Respondent admits she was negligent in not reviewing the Alabama Medical License Renewal Applications prior to execution, and further admits that the accuracy of the answers is her sole responsibility.

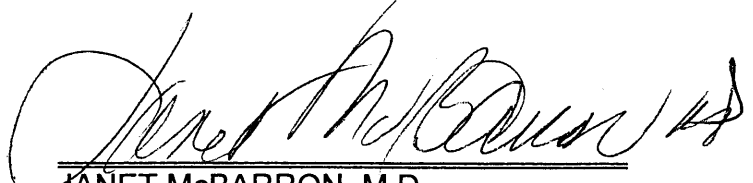
6. Respondent acknowledges the jurisdiction of the Medical Licensure Commission and consents to the entry of the Consent Order contained herein. Respondent waives her right to further adjudication of the remaining allegations in the Administrative Complaint and to an administrative hearing before the Medical Licensure

Commission on such allegations, her right to be represented at such hearing by counsel of her choice, and hereby waives any and all rights of further notice and formal adjudication of the charges stated in the Administrative Complaint. Respondent understands and acknowledges that this Stipulation and Consent Order, if approved and executed by the Medical Licensure Commission, shall constitute a public record of the State of Alabama.

7. The Complainant, Alabama State Board of Medical Examiners stipulates and agrees that the terms and conditions of the Consent Order stated herein constitute a reasonable disposition of the charges contained in the Administrative Complaint and that such disposition adequately protects the public health and safety.

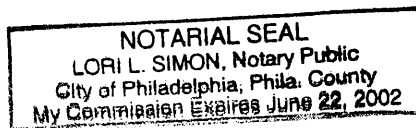
8. It is stipulated and agreed between the parties that this Stipulation and Consent Order be submitted to the Medical Licensure Commission and is subject to the Commission's approval. It is further agreed by Respondent that the Medical Licensure Commission shall be permitted to examine and review, prior to its approval of this Stipulation and Consent Order, the records and documents now in the possession of the Board of Medical Examiners concerning the allegations in the Administrative Complaint and the stipulation of facts set forth herein. It is further agreed by Respondent that, in the event the Medical Licensure Commission shall decline to accept the Stipulation and Consent Order as a basis for the disposition of the alleged grounds for imposition of disciplinary sanctions and require the Board of Medical Examiners to present testimony and documentary exhibits at a subsequent hearing, any admissions made by Respondent, and the consideration by the Commission of the Stipulation and Consent Order and the documentary evidence referred to above shall not be considered prejudicial to the rights of Respondent to receive a fair and impartial hearing.



WENDELL R. MORGAN
Attorney for the Alabama Board of
Medical Examiners


JANET McBARRON, M.D.
Respondent

SWORN TO AND SUBSCRIBED by Janet McBarron, M.D., before me this the
16 day of April, 2001.

(SEAL)




NOTARY PUBLIC
My Commission Expires: 6/22/02

CONSENT ORDER

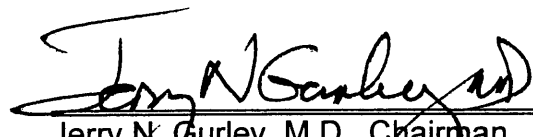
This matter is before the Medical Licensure Commission of Alabama on a signed Stipulation entered into by the Complainant, Alabama State Board of Medical Examiners and the Respondent, Janet McBarron, M.D. and on a proposed Consent Order submitted by the parties. Based upon the Stipulation of the parties, the Commission finds that the license to practice medicine in the State of Georgia of the Respondent, Janet McBarron, M.D., was disciplined by a Consent Order of the Composite State Board of Medical Examiners for the State of Georgia, which Consent Order placed Respondent's license to practice medicine in the State of Georgia on probation. The Commission further finds that the probation of the Respondent's license to practice medicine in the State of Georgia was terminated by order of the Georgia Composite State Board of Medical Examiners. The Commission further finds that the Respondent negligently failed to accurately answer certain questions on her license renewal applications for the years 1998, 1999 and 2000.

Based upon the foregoing findings of fact, the Commission concludes that, although Respondent did not intentionally mislead or fail to disclose the Georgia investigation and Order to the Alabama Medical Licensure Commission, as a matter of law Respondent's acts or omissions constitute negligence in violation of Ala. Code § 34-24-360(15) and (17).

Based upon the foregoing findings of fact and conclusions of law, it is the ORDER of the Alabama Medical Licensure Commission that the license of the Respondent be and the same is hereby REPRIMANDED.

It is the further ORDER of the Commission that the Respondent shall pay an administrative fine in the amount of \$10,000, payable by certified check to the Alabama Board of Medical Examiners, no later than thirty (30) days from the effective date of this Consent Order.

Submitted this the 25th day of April, 2001.



Jerry N. Gurley, M.D., Chairman
Medical Licensure Commission of Alabama

BEFORE THE COMPOSITE STATE BOARD OF MEDICAL EXAMINERS
STATE OF GEORGIA

IN THE MATTER OF:)

JANET MC BARRON, M.D.)
LICENSE #028300)

Composite State Board
of Medical Examiners

JAN 12 2001

DOCKET NUMBER
99-0464

PUBLIC ORDER TERMINATING PROBATION

WHEREAS, the Composite State Board of Medical Examiners ("Board") entered a Public Consent Order in the above-styled matter on December 3, 1999, which placed on probation Respondent's license to practice medicine in the State of Georgia, and

WHEREAS, Respondent has petitioned to have the probation terminated, and

WHEREAS, the Board has determined that the Respondent has complied with all the terms and conditions of the probation,

NOW, THEREFORE, IT IS HEREBY ORDERED that the probation of Respondent's license to practice medicine in the State of Georgia be TERMINATED.

SO ORDERED THIS 12TH DAY OF JANUARY 2001.

BOARD SEAL



ROGER E. HILL, D.O.
Vice-President

ATTEST:



KAREN MASON
Executive Director

ALABAMA STATE BOARD OF
MEDICAL EXAMINERS

Complainant,

v.

JANET MCBARRON, M.D.

Respondent.

BEFORE THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

CASE NO. 00-025

ADMINISTRATIVE COMPLAINT

Comes now the Alabama State Board of Medical Examiners and submits herein its sworn petition, pursuant to the authority of §34-24-361(e), Code of Alabama 1975, respectfully represents unto the Medical Licensure Commission as follows:

1. That heretofore on August 19, 1993, the Respondent, Janet McBarron, M.D. was duly licensed to practice medicine in the State of Alabama having been issued license certificate number 17602.

2. The Board of Medical Examiners has conducted an investigation into the medical practice of Janet McBarron, M.D., and based on that investigation has concluded that there exists probable cause to believe that the Respondent has committed the following violations of §34-24-360, Code of Alabama 1975:

- a. Fraud in applying for a license to practice medicine in the State of Alabama, a violation of §34-24-360(1) 1975;
- b. Unprofessional or dishonorable conduct as defined in the regulations of the Medical Licensure Commissioner, a violation of §34-24-360(2) 1975;

- c. Imposition of a disciplinary action against the Respondent's license to practice medicine in another state, a violation of §34-24-360(15);
- d. Making a fraudulent or untrue statement to the Commission or to the State Board of Medical Examiners, a violation of §34-24-360(17) 1975.

3. In further support of the allegation of the violation of §34-24-360(15), the State Board of Medical Examiners specifically alleges that the license to practice medicine of the Respondent, Janet McBarron, M.D. was disciplined by the Composite State Board of Medical Examiners of the State of Georgia under a consent order dated December 3, 1999, which order placed the Respondent's license to practice medicine in the State of Georgia on indefinite probation subject to terms and conditions of probation as set out in the order. A certified copy of the December 3, 1999 order of the Composite State Board of Medical Examiners of the State of Georgia is attached to this Administrative Complaint as Exhibit A and incorporated herein.

4. In support of the allegation of the violation §34-24-360(1), 34-24-360(2) and 34-24-360(17), the Board specifically alleges that on or about October 20, 1997 the Respondent submitted a false and untrue statement to the Medical Licensure Commission on her 1998 license renewal application wherein she was asked the question "To your knowledge, are you the subject of an investigation by any licensing board/agency as of the date of this application, within the past year?", to which the Respondent replied "No", when in fact the Respondent had received notification dated June 20, 1997 that she was the subject of an investigation by the Georgia Composite State Board of Medical Examiners.

5. In support of the allegation of the violation §34-24-360(1), 34-24-360(2) and 34-24-360(17), the Board specifically alleges that on or about October 12, 1998 the Respondent submitted a false and untrue statement to the Medical Licensure Commission on her 1999 license renewal application wherein she was asked the question "To your knowledge, are you the subject of an investigation by any licensing board/agency as of the date of this application, within the past year?", to which the Respondent replied "No", when in fact the Respondent knew at that time she was the subject of an investigation by the Georgia Composite State Board of Medical Examiners.

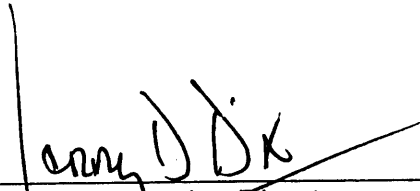
6. In support of the allegation of the violation §34-24-360(1), 34-24-360(2) and 34-24-360(17), the Board specifically alleges that on or about October 17, 1999 the Respondent submitted a false and untrue statement to the Medical Licensure Commission on her 2000 license renewal application wherein she was asked the question "To your knowledge, are you the subject of an investigation by any licensing board/agency as of the date of this application, within the past year?", to which the Respondent replied "No", when in fact the Respondent knew at that time she had been served with a notice of hearing in the matter of Office of the Secretary of State, et al. v. Janet McBarron, M.D. Case No. OSAH-SEB-MED-9905314-106-VTR before the Georgia Composite Board of Medical Examiners.

Wherefore the foregoing premises considered, the Board respectfully requests that the Medical Licensure Commission take jurisdiction of this Administrative Complaint, set a hearing thereon, and cause notice of such hearing and a copy of this Administrative Complaint to be served upon the Respondent, Janet McBarron, M.D., requiring that she appear and answer the allegations contained in the Administrative Complaint. At the

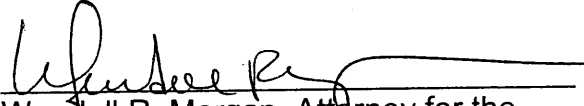
conclusion of the hearing, the Board requests that the Medical Licensure Commission revoke the license to practice medicine of the Respondent, Janet McBarron, M.D., and impose an administrative fine as authorized under §34-24-381 Code of Alabama 1975.

This Complaint is executed for and on behalf of the Alabama State Board of Medical Examiners by its Executive Director pursuant to the instructions of the Board as contained in its resolution of September 20, 2000, a copy of which is attached hereto and incorporated herein.

EXECUTED this 25TH day of September, 2000.



Larry D. Dixon, Executive Director
State Board of Medical Examiners



Wendell R. Morgan, Attorney for the
State Board of Medical Examiners
848 Washington Avenue
Post Office Box 946
Montgomery, Alabama 36101-0946
334/242-4739

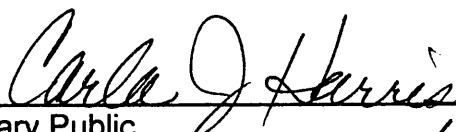
STATE OF ALABAMA)
)
MONTGOMERY COUNTY)

Before me, the undersigned, personally appeared Larry D. Dixon, who, being by me first duly sworn, deposes and says that he, in his capacity as Executive Director of the Alabama Board of Medical Examiners, has executed the contents of the foregoing complaint and affirms that the contents thereof are true and correct to the best of his knowledge, information and belief.



Larry D. Dixon, Executive Director
Alabama State Board of Medical Examiners

SWORN TO AND SUBSCRIBED before me this 25th day of September
2000.



Notary Public
My Commission Expires: 10/1/03

STATE OF ALABAMA

MONTGOMERY COUNTY

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AFFIDAVIT

Before me, the undersigned, personally appeared Larry D. Dixon, Executive Director of the State Board of Medical Examiners, who, being by me first duly sworn, deposes and says as follows:

The Alabama State Board of Medical Examiners session on September 20, 2000, a quorum of the members of the Board being present, conducted an investigation into the medical practice of Janet McBarron, M.D., and at the conclusion of the discussion, the Board adopted the following resolution:

JANET MCBARRON, M.D., COLUMBUS, GA: The Credentials Committee recommended referring Dr. McBarron to the Medical Licensure Commission seeking a revocation of her Alabama medical license based upon the following grounds: 1) disciplinary action in the State of Georgia and 2) falsifying her renewal forms for 1998, 1999, and 2000. The motion was adopted.

I further certify that the foregoing resolution was adopted by the Alabama State Board of Medical Examiners on the 20th day of September, 2000.



Larry D. Dixon, Executive Director
State Board of Medical Examiners

SWORN TO AND SUBSCRIBED before me this 25th day of September, 2000.



Notary Public
My Commission Expires: 10/1/03