

In the Matter of)
 : BEFORE THE ALABAMA BOARD
 : OF MEDICAL EXAMINERS
 CELIA W. LLOYD-TURNEY, M.D.)

JOINT STIPULATION AND CONSENT ORDER

COME NOW, the Alabama State Board of Medical Examiners (“the Board”) and Respondent, CELIA W. LLOYD-TURNEY, M.D., (the “Parties”), License number MD.11042, and hereby voluntarily enter into an agreement as follows:

1. On January 1, 2017, the Board issued to Celia W. Lloyd-Turney, M.D., Alabama Controlled Substances Certificate number ACSC.11042. For every year since 1983, Dr. Lloyd-Turney has maintained and renewed her ACSC.
2. On March 14, 2014, the Board issued to Dr. Lloyd-Turney a Pain Management Registration, identified by license number PM.254. Dr. Lloyd-Turney renewed this registration on January 5, 2017.
3. On February 28, 2017, the Board issued an Order to Show Cause alleging that Dr. Lloyd-Turney excessively dispensed controlled substances, in violation of Ala. Code § 20-2-54(a)(5).
4. This Joint Stipulation, therefore, is entered into as a settlement between Dr. Lloyd-Turney and the Board as a matter of compromise and to eliminate further litigation and issues between them related to the allegations.
5. Dr. Lloyd-Turney admits to the following facts and violations:
 - a. Dr. Lloyd-Turney excessively prescribed controlled substances to ten patients, previously identified, in violation of Ala. Code § 20-2-54(a)(5) and Board Rule 540-X-4-.08.

6. Dr. Lloyd-Turney consents to an order being entered in her case restricting her authority to order, manufacture, distribute, possess, dispense, administer, or prescribe controlled substances under ACSC number ACSC.11042 as follows:
 - a. Dr. Lloyd-Turney shall not order, manufacture, distribute, possess, dispense, administer, or prescribe controlled substances totaling more than 30 Morphine Milligram Equivalents ("MME") per day to any patient, except where such prescription is ordered for a patient admitted to a hospital and the prescription is ordered to be administered in an inpatient, acute care setting;
 - b. In no instance shall Dr. Lloyd-Turney prescribe a medication for a controlled substance in an outpatient setting where the daily MME exceeds thirty (30);
 - c. Dr. Lloyd-Turney shall not order, manufacture, distribute, possess, dispense, administer, or prescribe cough syrups containing promethazine with hydrocodone or codeine;
 - d. Dr. Lloyd-Turney shall not order, manufacture, distribute, possess, dispense, administer, or prescribe controlled substance-containing cough syrups to any patient with an acute condition for more than five (5) days at a time and shall not permit refills;
 - e. Dr. Lloyd-Turney shall refrain from prescribing opioids to patients being maintained on benzodiazepines and vice versa;
 - f. Dr. Lloyd-Turney shall not prescribe carisoprodol or Soma; and
 - g. Dr. Lloyd-Turney shall refer chronic pain patients to a pain specialist for treatment.
7. Dr. Lloyd-Turney shall review the Alabama Prescription Drug Monitoring Program ("PDMP") status for each patient to whom she prescribes a controlled substance prior to

writing a controlled substance prescription and will not write a prescription that would cause a patient's total prescribed MME to exceed 30 based on the PDMP's records at the time of a patient's visit;

8. Dr. Lloyd-Turney further consents to surrender her pain management registration.
9. The Board agrees to delay the restriction on her ACSC for sixty (60) days from the effective date of Consent order to minimize the disruption that may be caused to her patients.
10. Dr. Lloyd-Turney shall refer patients requiring opioid addiction treatment to a licensed provider for such treatment. Dr. Lloyd-Turney further agrees not to prescribe buprenorphine or methadone to her patients.
11. Dr. Lloyd-Turney shall refer patients requiring weight-loss or pain management services to a licensed provider for such treatment.
12. Dr. Lloyd-Turney agrees to pay the administrative costs of the Board consistent with Board Rule 540-X-5-.03(6).
13. The Parties agree that Dr. Lloyd-Turney shall not be liable for administrative costs in excess of \$6,500, and that payment shall be due on or before July 1, 2018.
14. Dr. Lloyd-Turney shall not seek costs from the Board.
15. The Parties agree that a violation of this agreement or existing law and Board or Medical Licensure Commission Rules by Dr. Lloyd-Turney may result in the Board initiating proceedings to further restrict or revoke Dr. Lloyd-Turney's ACSC.
16. Dr. Lloyd-Turney understands that, after sixty (60) days from the date of the Consent Order, if she prescribes controlled substances in violation of the restrictions on her ACSC, the Board may revoke ACSC, enter further restrictions, or modify the terms of this agreement as needed to ensure the safety and welfare of the public.

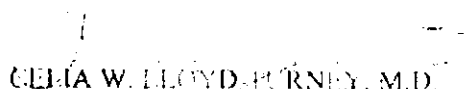
17. Dr. Lloyd-Turney understands that, under Ala. Code § 34-24-61, the Board may dismiss without a hearing any application from Dr. Lloyd-Turney to remove, terminate, or modify the restrictions to her ACSC if she files the application within twenty-four (24) months of the effective date of the restriction. Dr. Lloyd-Turney further understands that an application filed twenty-four (24) months or more after the effective date of the restriction(s) may be granted by the board or set for a hearing.
18. Dr. Lloyd-Turney acknowledges the authority of the Alabama Board of Medical Examiners to exercise jurisdiction in this matter, consents and agrees to the entry by the Board of the Consent Order stated herein. Dr. Lloyd-Turney waives any further findings of fact and conclusions of law with respect to the above-styled matter, and waives any right to appeal the Stipulation and Consent Order. Dr. Lloyd-Turney waives her right to an administrative hearing before the Board, her right to be represented at such hearing by counsel of her choice, and agrees to waive any and all rights to further notice and formal adjudication of charges arising from the facts stated herein. Further, Dr. Lloyd-Turney waives her right to judicial review of the Consent Order agreed to herein under applicable provisions of Ala. Code § 34-24-380 and the Alabama Administrative Procedure Act, Ala. Code §41-22-1, *et. seq.*
19. The Parties acknowledge that Dr. Lloyd-Turney will receive notice and the opportunity for a fair hearing prior to any action by the Board to revoke her probation for her failure to comply with the Stipulation and Consent Order.
20. The Board stipulates and agrees that the terms and conditions of the Consent Order stated herein constitute a reasonable disposition of the matter stated herein, and that such disposition adequately protects the public's health and safety.

Acknowledgements

Respondent's Understanding

I have read and understand the provisions of this Agreement. I have discussed it with my lawyer agree and approve of all the provisions of this Agreement, both individually and as a total binding agreement. I have personally and voluntarily signed this Agreement for the express purpose of entering into this Agreement with the Board

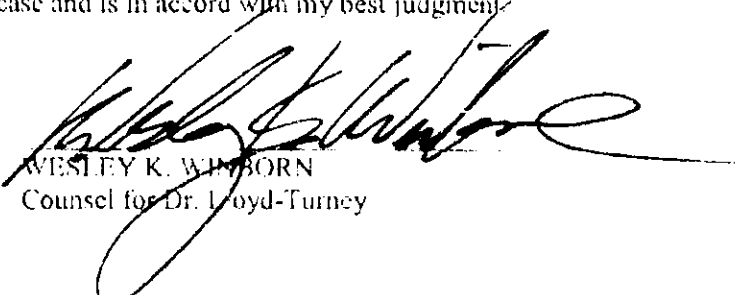
8/24/17
DATE


CELIA W. LLOYD-TURNEY, M.D.

Counsel's Acknowledgement

I have discussed this case with my client in detail and have advised my client of all my client's rights and possible defenses. My client has conveyed to me that my client understands this Agreement and consents to all its terms. I believe this Agreement and the disposition set forth herein are appropriate under the facts of this case and is in accord with my best judgment.

8/24/17
DATE

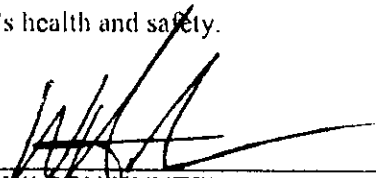

WESLEY K. WHITBORN
Counsel for Dr. Lloyd-Turney

Board's Acknowledgement

I have reviewed this matter and this Agreement and concur that the disposition set forth

herein is appropriate and adequately protects the public's health and safety.

9/25/17
DATE



E. WILSON HUNTER
Associate General Counsel
Alabama Board of Medical Examiners

In the Matter of)
) BEFORE THE ALABAMA STATE
) BOARD OF MEDICAL EXAMINERS
 CELIA W. LLOYD-TURNEY, M. D.)

CONSENT ORDER

This matter is before the Alabama Board of Medical Examiners pursuant to a signed Stipulation entered into by the Board and CELIA W. LLOYD-TURNEY, M.D., dated Sept 25, 2017. Based upon the Stipulation of the parties, which is incorporated by reference as if fully set forth herein, it is the ORDER of the Alabama Board of Medical Examiners that:

1. The Board accepts the surrender of Dr. Lloyd-Turney's Pain Management Registration, identified by registration number PM.254;
2. Dr. Lloyd-Turney's Alabama Controlled Substances Certificate, identified as ACSC.11042, is subject to the following RESTRICTIONS:
 - a. Dr. Lloyd-Turney shall not order, manufacture, distribute, possess, dispense, administer, or prescribe controlled substances totaling more than 30 Morphine Milligram Equivalents ("MME") per day to any patient, except where such prescription is written for a patient admitted to a hospital and the prescription is written in an inpatient, acute care setting;
 - b. In no instance shall Dr. Lloyd-Turney write a prescription for a controlled substance in an outpatient setting where the daily MME exceeds thirty (30);
 - c. Dr. Lloyd-Turney shall not order, manufacture, distribute, possess, dispense, administer, or prescribe cough syrups containing promethazine with hydrocodone;
 - d. Dr. Lloyd-Turney shall not order, manufacture, distribute, possess, dispense, administer, or prescribe controlled substance-containing cough syrups to any

patient with an acute condition for more than five (5) days at a time and shall not permit refills;

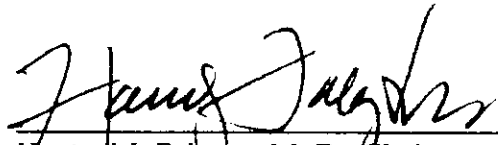
e. Dr. Lloyd-Turney shall refrain from prescribing opioids to patients being maintained on benzodiazepines and vice versa; and

f. Dr. Lloyd-Turney shall not prescribe carisoprodol or Soma.

3. Dr. Lloyd-Turney shall review the Alabama Prescription Drug Monitoring Program ("PDMP") for each patient to whom she prescribes a controlled substance prior to writing a controlled substance prescription and will not write a prescription that would cause a patient's total prescribed MME to exceed 30 based on the PDMP's records at the time of a patient's visit;
4. Dr. Lloyd-Turney shall have sixty (60) days from the date of this Order before these restrictions on her ACSC takes effect for the sole purpose of referring her chronic pain patients to a board-certified pain specialist or to wean them off controlled substances;
5. Dr. Lloyd-Turney shall pay the administrative costs of the Board, not to exceed six thousand five hundred dollars (\$6,500.00), due on or before July 1, 2018;
6. Dr. Lloyd-Turney shall be monitored by the Board for compliance with the terms of the joint stipulation executed by the parties;
7. Dr. Lloyd-Turney shall refer patients requiring opioid addiction services to a licensed provider for the provision of such services;
8. Dr. Lloyd-Turney shall refer patients requiring weight loss services to a licensed provider for the provision of such services; and
9. Dr. Lloyd-Turney shall refer patients requiring pain management services to a licensed provider for the provision of such services.

IT IS FURTHER ORDERED that the restrictions placed on Dr. Lloyd-Turney shall remain in effect for a minimum of twenty-four (24) months. This Stipulation and Consent Order shall be the final adjudication of the facts, circumstances, and compliance status of Dr. Lloyd-Turney occurring or existing at the time of this order. Dr. Lloyd-Turney understands and agrees that failure to comply with the terms herein or violations of the Alabama Medical Practice Act occurring after the date of this Stipulation and Consent Order may result in further action against her. After twenty-four months, Dr. Lloyd-Turney may, upon a showing of complete compliance with this Order and good cause, petition for the termination of her restrictions, which petition may be set for a hearing by the Board or granted by the Board without a hearing.

ORDERED this 25th day of Sept, 2017.


Howard J. Falgout, M. D., Chairman
Alabama Board of Medical Examiners

In the Matter of)
 : BEFORE THE ALABAMA BOARD
 : OF MEDICAL EXAMINERS
 CELIA W. LLOYD-TURNEY, M. D.)

ORDER TO SHOW CAUSE

TO: Celia W. Loyd-Turney, M. D.
8208 Hwy 53 N
Toney, AL 35773

This Order to Show Cause is directed to Celia W. Loyd-Turney, M. D., pursuant to the authority of Ala. Code § 20-2-53.

A hearing will be conducted at **12:30 p.m. on Wednesday, May 17, 2017**, at the office of the Alabama State Board of Medical Examiners (“the Board”), 848 Washington Avenue, Montgomery, Alabama. Celia W. Loyd-Turney, M. D., is ORDERED and DIRECTED to appear before the Board at the time and place stated above and to show cause, if there be any, why her Alabama Controlled Substances Certificate and Pain Management registration should not be revoked. As grounds for revocation, the Board states the following:

1. On January 1, 2017, the Board issued to Celia W. Loyd-Turney, M. D., an Alabama Controlled Substances Certificate (“ACSC”), number ACSC.11042.
2. On March 14, 2014, the Board issued to Dr. Lloyed-Turney a Pain Management Registration, identified by license number PM.254. Dr. Lloyd-Turney renewed this registration on January 5, 2017.
3. The Board’s investigation has shown probable cause to believe that Dr. Lloyd-Turney has committed the following violations of Ala. Code §§ 20-2-54(a)(5) and 20-2-54.1:
 - a. Excessively dispensed controlled substances for one or more of her patients;

- b. Dispensed controlled substances for no legitimate medical purpose;
 - c. Dispensed controlled substances in amounts not reasonably related to the proper medical management of her patients' illnesses or conditions; and
 - d. Violated the Requirements for the Use of Controlled Substances for the Treatment of Pain set out in Rule 540-X-4-.08 of the Rules of the Alabama Board of Medical Examiners; and
4. The Board's investigation has further shown probable cause to believe that Dr.

Lloyd-Turney has violated Ala. Code §§ 34-24-600, et seq., by violating the Requirements for the Use of Controlled Substances for the Treatment of Pain set out in Rule 540-X-19-.09 of the Rules of the Alabama Board of Medical Examiners.

5. In support of these allegations, the Board states:
- a. Dr. Lloyd-Turney serves as the medical director and sole physician providing pain management services at Choice Medicine-Hwy. 53 Medical Center, located at 8208 Hwy 53 North, Toney, AL, 35773.
 - b. The Board's investigation included the detailed review and analysis by an independent expert of ten (10) patient charts subpoenaed from Dr. Lloyd-Turney's practice. The patients are identified by their initials: J.C., R.G., G.M., L.H., K.H., B.P., N.K., E.L., D.P., and D.W.
 - c. Based on the Board's investigation and the expert review, Dr. Lloyd-Turney excessively dispensed or prescribed controlled substances to J.C., R.G., G.M., and L.H.

- d. Based on the Board's investigation and expert review, Dr. Lloyd-Turney prescribed or dispensed controlled substances for no legitimate medical purpose to J.C., R.G., G.M., L.H., B.P., N.K., and K.H.
- e. Based on the Board's investigation and expert review, Dr. Lloyd-Turney prescribed or dispensed controlled substances to J.C., R.G., G.M., L.H., B.P., N.K., D.P., and K.H. in amounts not reasonably related to the proper medical management of her patients' illnesses or conditions.
- f. Based on the Board's investigation and expert review, Dr. Lloyd-Turney prescribed or dispensed controlled substances in violation of the Requirements for the Use of Controlled Substances for the Treatment of Pain set out in Rules 540-X-4-.08 and 540-X-19-.09 of the Rules of the Alabama Board of Medical Examiners by:
 - i. Failing to provide adequate documentation of the pain being treated for patients J.H., J.C., B.P., G.M., L.H., and N.K.;
 - ii. Failing to document either a physical exam or diagnostic imaging evidence to show the source of her patients' pain to a degree warranting narcotic drug use, for patients K.H., J.C., B.P., R.G., G.M., L.H., N.K., and E.L.;
 - iii. Failing to incorporate sufficient drug screening for patients J.C., B.P., G.M., and N.K.; and
 - iv. Failing to implement a complete pain contract for patients K.H., J.C., B.P., R.G., G.M., L.H., D.P., N.K., and E.L.

6. Pursuant to Ala. Code §§ 20-2-54 and 34-24-609, and Alabama Board of Medical Examiners Rules 540-X-5-.03 and 540-X-19-.08, the Board seeks to revoke the Alabama Controlled Substances Certificate and the Pain Management registration of Dr. Lloyd-Turney and/or take any other action which the Board deems appropriate based upon the evidence presented for consideration.

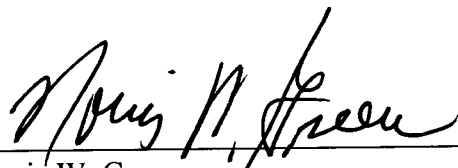
7. Dr. Lloyd-Turney is entitled to be present at the hearing, to call witnesses, to present evidence in her behalf, to examine documents offered into evidence and to examine any witnesses called to testify. Dr. Lloyd-Turney is entitled to be represented by counsel at her own expense.

8. The hearing shall be considered a contested case under the Alabama Administrative Procedures Act, and the hearing shall be conducted in accordance with Ala. Code § 41-22-1, *et. seq.*, and Chapter 6 of the Rules and Regulations of the Board of Medical Examiners.

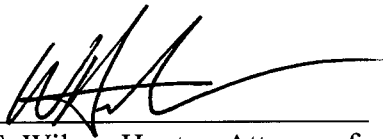
9. The Honorable William R. Gordon is hereby appointed as Hearing Officer.

The Board requests that administrative costs be assessed against Dr. Lloyd-Turney pursuant to Ala. Code § 34-24-380 and Board Rule 540-X-5-.03.

This Order to Show Cause is entered by direction of the Alabama Board of Medical Examiners this 28th day of February, 2017.



Norris W. Green
Executive Director
Alabama Board of Medical Examiners



E. Wilson Hunter, Attorney for the
Alabama Board of Medical Examiners
PO Box 946
Montgomery AL 36101-0946
Tel. (334) 242-4116
Fax (334) 240-3051
Email: whunter@albme.org

RETURN OF SERVICE

I, the undersigned, being over the age of 19 years and not a party in this matter, hereby certify that I have served the foregoing Joint Stipulation and Consent Order upon

CELIA W. LLOYD-TURNEY, M.D., this the 9th day of MARCH, 2017.

O. V. Chae
Process Server

SWORN TO AND SUBSCRIBED before me this 9th day of March,
2017.

Carla H Kruger
Notary Public
My Commission Expires: 9/30/19