

**STATE OF TENNESSEE  
DEPARTMENT OF HEALTH**

<b>IN THE MATTER OF:</b>	)	<b>BEFORE THE TENNESSEE BOARD</b>
	)	<b>OF MEDICAL EXAMINERS</b>
<b>LANCE CARY DOZIER, M.D.</b>	)	
<b>RESPONDENT</b>	)	<b>CASE NO: 2019036821</b>
	)	
<b>NORTON, VIRGINIA</b>	)	
<b>TENNESSEE LICENSE NO.: 28235</b>	)	

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**CONSENT ORDER**

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The Division of Health Related Boards of the Tennessee Department of Health (“Department”), by and through the Office of General Counsel, and Lance Cary Dozier, M.D. (“Respondent”), respectfully move the Tennessee Board of Medical Examiners (“Board”) for approval of this Consent Order affecting Respondent’s medical license in the State of Tennessee.

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**I. AUTHORITY AND JURISDICTION**

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The Board is responsible for the regulation and supervision of medical doctors licensed to practice in the State of Tennessee. *See* Tennessee Medical Practice Act (“Act”), Tennessee Code Annotated Section (“TENN. CODE ANN. §”) 63-6-101 *et seq.* It is the policy of the Board to require strict compliance with the laws of this State, and to apply the laws so as to preserve the quality of medical care provided in Tennessee. It is the duty and responsibility of the Board to enforce the Tennessee Medical Practice Act in such a manner as to promote and protect the public health, safety and welfare in every practicable way, including disciplining medical doctors who violate

the provisions of the Act or the Rules and Regulations promulgated by the Board in the *Official Compilation Rules and Regulations of the State of Tennessee* (“TENN. COMP. R. & REGS.”).

Respondent, by signing this Consent Order, waives the right to a contested case hearing and any and all rights to judicial review in this matter. Respondent agrees that presentation to and consideration of this Consent Order by the Board for ratification and all matters divulged during that process shall not constitute unfair disclosure such that the Board or any of its members shall be prejudiced to the extent that requires their disqualification from hearing this matter should this Order not be ratified. Likewise, all matters, admissions and statements disclosed or exchanged during the attempted ratification process shall not be used against Respondent in any subsequent proceeding unless independently entered into evidence or introduced as admissions.

Respondent expressly waives all further procedural steps and expressly waives all rights to seek judicial review of or to challenge or contest the validity of this Consent Order. Respondent understands that by signing this Consent Order, Respondent is allowing the Board to issue its order without further process. Respondent acknowledges that this is a formal disciplinary action and will be reported to the National Practitioner Data Bank and/or similar agency. In the event that the Board rejects this Consent Order for any reason, it will be of no force or effect for either party.

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## II. STIPULATIONS OF FACT

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1. Respondent has been at all pertinent times licensed by the Board as a medical doctor in the State of Tennessee, having been granted Tennessee medical license number 28235 by the Board on June 20, 1996, which expires on March 31, 2021.
2. Respondent has been at all times pertinent hereto licensed by the Virginia Board of Medicine, (“Virginia Board”), holding medical license number 0101-035554.

3. On June 28, 2019, the Virginia Board reprimanded the Respondent's license and required him to enter a contract and successfully complete a program with the Virginia Health Practitioners' Monitoring Program.
4. The discipline against Respondent's medical license stemmed from the Respondent's driving while intoxicated ("DWI") arrest in Virginia, while on call at two different hospitals, on April 23, 2018. In October 2018, the DWI was reduced to reckless driving, and the Respondent pled guilty. The Virginia Board found that the Respondent was "unable to practice with reasonable skill and safety due to illness or substance abuse."
5. The act for which Respondent was disciplined in Virginia would be grounds for disciplinary action in Tennessee.
6. Respondent failed to include his 2014 health care liability malpractice settlement of \$150,000 on his practitioner profile. Also, Respondent failed to include his 2015 health care liability malpractice settlement of \$175,000 on his practitioner profile.
7. Respondent did not include the October 2018 reckless driving conviction on his practitioner profile. Respondent also answered "no" to the criminal conviction question on his 2019 Tennessee medical renewal application.

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### **III. GROUNDS FOR DISCIPLINE**

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The facts stipulated above are sufficient to establish grounds for discipline of Respondent's medical license. Specifically, Respondent has violated the following statutes, which are part of the Tennessee Medical Practice Act:

8. The facts stipulated in paragraphs three (3) through five (5) above constitute a violation of TENN. CODE ANN. § 63-6-214(b)(20):

Disciplinary action against a person licensed to practice medicine by another state or territory of the United States for any acts or omissions that would constitute grounds for discipline of a person licensed in this state. A certified copy of the initial or final order or other equivalent document memorializing the disciplinary action from the disciplining state or territory shall constitute prima facie evidence of violation of this section and be sufficient grounds upon which to deny, restrict or condition licensure or renewal and/or discipline a person licensed in this state;

9. The facts stipulated in paragraphs six (6) and seven (7) above constitute violations of TENN. CODE ANN. § 63-6-214(b)(1):

Unprofessional, dishonorable or unethical conduct;

10. The facts stipulated in paragraphs six (6) and seven (7) above constitute violations of TENN. CODE ANN. § 63-32-105(a) which states that failure of a licensed healthcare provider to report certain events, including criminal convictions, out-of-state discipline, and settlements for healthcare liability claims is grounds for disciplinary action.

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#### IV. POLICY STATEMENT

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The Board takes this action in order to protect the health, safety and welfare of the people in the State of Tennessee and ensure that the public confidence in the integrity of the medical profession is preserved.

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#### V. ORDER


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Therefore, Respondent **AGREES** and the Board **ORDERS** as follows:

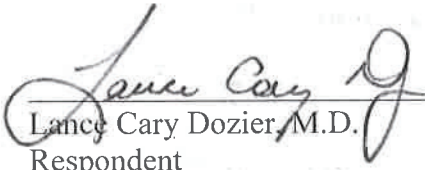
11. Respondent's Tennessee Medical License, No. 28235, is hereby **REPRIMANDED**.

12. Within thirty (30) days of the effective date of this Order, Respondent shall contact the Tennessee Medical Foundation (“TMF”) and follow all recommendations from the TMF.
13. Respondent shall pay four (4) Type C Civil Penalties in the amount of one hundred dollars (\$100.00) each, for a total of four hundred dollars (\$400.00), for violations described in paragraphs six and seven above. Civil penalties must be paid in full within thirty (30) days from the effective date of this Order by submitting payment to the address listed below.
14. Respondent shall pay, pursuant to TENN. CODE ANN. § 63-6-214(k) and Rule 0880-02-.12(1)(j) of the *Official Compilation Rules and Regulations of the State of Tennessee*, the actual and reasonable costs of prosecuting this case to the extent allowed by law, including all costs assessed by the Office of Investigations, Secretary of State, Administrative Procedures Division as well as the Office of General Counsel. These costs will be established by an Assessment of Costs prepared and filed by counsel for the Department. The maximum amount for the assessment of costs shall be four thousand dollars (\$4,000.00). Any and all costs shall be paid in full within sixty (60) days from the issuance of the Assessment of Costs by submitting a **certified check, cashier’s check, or money order** payable to the **State of Tennessee**, which shall be mailed or delivered to: **Disciplinary Coordinator, The Division of Health Related Boards, Tennessee Department of Health, 665 Mainstream Drive, Nashville, Tennessee 37243**. A notation shall be placed on said check that it is payable for the costs of **Lance Cary Dozier, M.D., COMPLAINT NO. 2019036821**.
15. Respondent understands that this is a formal disciplinary action and will be reported to the National Practitioner Data Bank (N.P.D.B.) and/or similar agency.

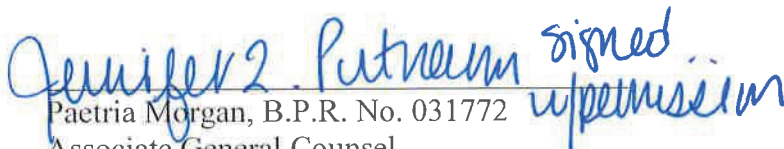
This **CONSENT ORDER** was approved by a majority of a quorum of the Tennessee Board of Medical Examiners at a public meeting of the Board and signed this 12<sup>th</sup> day of November, 2019.

  
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Chair  
Tennessee Board of Medical Examiners

APPROVED FOR ENTRY:

  
\_\_\_\_\_  
Lance Cary Dozier, M.D.  
Respondent

9.27.19  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
Paetria Morgan, B.P.R. No. 031772  
Associate General Counsel  
Office of General Counsel  
Tennessee Department of Health  
665 Mainstream Drive, 2<sup>nd</sup> Floor  
Nashville, Tennessee 37243  
(615) 741-1611

11/12/19  
\_\_\_\_\_  
DATE

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of this document has been served upon Respondent, Lance Cary Dozier, M.D., P.O. Box 1205 Norton, Virginia 24273 by delivering same in the United States Mail, Certified Number 7016 0600 0000 6508 7743, return receipts requested, and United States First Class Postage Pre-Paid Mail, with sufficient postage thereon to reach its destination.

This 13<sup>th</sup> day of November, 2019.

P. Morgan signed w/ permission  
Pactria Morgan  
Assistant General Counsel