

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2023-013

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)  
In the Matter of )  
)

LaTania Akers-White, M.D. )  
\_\_\_\_\_)

**CONSENT ORDER**

Pursuant to G.L. c. 30A, § 10, LaTania Akers-White, M.D. ("Respondent") and the Board of Registration in Medicine ("Board") (hereinafter referred to jointly as the "Parties") agree that the Board may issue this Consent Order to resolve the above-captioned adjudicatory proceeding. The Parties further agree that this Consent Order will have all the force and effect of a Final Decision within the meaning of 801 C.M.R 1.01(11)(d). The Respondent admits to the findings of fact specified below and agrees that the Board may make the conclusions of law and impose the sanction set forth below in resolution of investigative Docket number 22-206.

**Findings of Fact**

1. The Respondent graduated from the Ponce School of Medicine in 2007. She is certified by the American Board of Medical Specialties in Family Medicine. The Respondent has been licensed to practice medicine in Massachusetts under certificate number 282013 since 2020.
2. The Respondent is licensed to practice medicine in many other states, including the Commonwealth of Virginia and the state of North Carolina. According to the Federation of State Medical Boards ("FSMB"), the medical boards in Virginia and North Carolina have imposed discipline on the Respondent's licenses.

3. On October 8, 2021, the Board of Registration in Medicine ("BORIM") received notification from the National Practitioners Data Bank that the Virginia Department of Health Professions ("VA Board") imposed discipline on the Respondent's license in Virginia due to Respondent's violations of various laws and regulations governing the practice of medicine in the Commonwealth of Virginia.

4. Specifically, the VA Board disciplined the Respondent for: negligence; failure to maintain adequate or accurate records; misleading, false or deceptive advertising or marketing; narcotics violation or other violation of drug statutes; and, inappropriate or unauthorized dispensing of medication.

5. The VA Board disciplined the Respondent for the following conduct:

- a. Between February 2017 and August 2018, Respondent dispensed approximately 300 controlled substances to patients after her license to dispense controlled substances had expired on December 31, 2016.
- b. Additionally, between October 27, 2017 and August 7, 2018, Respondent prescribed opioids to five patients without documenting; an evaluation of the patients' pain; a history and physical examination; a diagnosis to support prescribing the medication; a query of the Prescription Monitoring Report; an assessment of the patients' history and risk of substance misuse; consideration of non-pharmacologic and non-opioid treatment for pain; a treatment plan; or the medication prescribed.
- c. Moreover, between April 20, 2016 and December 30, 2019, as a courtesy, Respondent prescribed one of the above patients, and an additional patient, various medications without any related examinations, consultations, or rationale and without documenting said prescriptions in their medical records.

- d. On two occasions in 2018, Respondent wrote prescriptions to a patient insured by Medicare, had staff fill the prescriptions, and dispensed the medications to other patients.
  - e. On February 14, 2019, the VA Board conducted an inspection of Respondent's office and found more violations. Specifically, Respondent failed to maintain a log of drugs dispensed to patients, took no precaution against the theft or loss of controlled substances by storing them in unlocked cabinets and drawers and leaving them on her desk, stored expired medication and equipment alongside current ones, administered expired medications to patients, used expired fibers during liposuction procedures, repackaged medications into unmarked bottles and syringes, and failed to maintain equipment calibration logs for liposuction equipment.
  - f. In September 2019, Respondent advertised on the Groupon website that she was "board certified" and had "advanced board certifications," but failed to disclose the complete name of the specialty board(s) that conferred such certifications.
6. The VA Board imposed a reprimand and \$5,000 fine, ordered Respondent to complete twenty hours of education courses in medical recordkeeping and proper prescribing, and required Respondent to provide a written statement that she has read and will comply with the laws and regulations governing the practice of medicine and those governing the practice of pharmacy.
7. Based on the VA Board's decision, the Respondent entered a Consent Order with the NC Board whereby her license to practice medicine in North Carolina was reprimanded.

#### Conclusions of Law

- A. Pursuant to 243 C.M.R. 1.03(5)(a)(12), the Board may discipline a physician upon

satisfactory proof to a majority of the Board that said physician has been disciplined in another jurisdiction in any way by the proper licensing authority for reasons substantially the same as those set forth in G.L. c. 112, § 5 or 243 C.M.R. 1.03(5). More specifically, in Massachusetts, the Board may discipline a physician upon proof satisfactory to a majority of the Board that said physician has:

1. Violated 243 C.M.R. 1.03(5)(a)(2) by committing an offense against any provision of the laws of the Commonwealth relating to the practice of medicine, or any rule or regulation adopted thereunder, namely, G.L. c. 94C, § 19(b), which states that no prescription shall be issued in order for a practitioner to obtain controlled substances for supplying the practitioner for the purpose of general dispensing to patients; or
2. Violated 243 C.M.R. 1.03(5)(a)(10) by practicing medicine deceitfully, or engaging in conduct which has the capacity to deceive or defraud; or
3. Violated 243 C.M.R. 1.03(5)(a)(11) by violated any rule or regulation of the Board, including *Massachusetts Board of Registration in Medicine Prescribing Practices Policy and Guidelines, Policy No. 15-05 adopted October 8, 2015*, and 243 C.M.R. 2.07(11)(a), which governs *Advertising and Professional Notices by a Full Licensee*; or
4. Violated 243 C.M.R. 1.03(5)(a)(18) by committing misconduct in the practice of medicine.

- B. The Respondent engaged in conduct that undermines the public confidence in the integrity of the medical profession. See *Raymond v. Board of Registration in Medicine*, 387 Mass. 708 (1982); *Levy v. Board of Registration in Medicine*, 378

Mass. 519 (1979).

Order

The Respondent's medical license is hereby reprimanded. This sanction is imposed for each violation of law listed in the Conclusion section and not a combination of any or all of them.

Execution of this Consent Order

Complaint Counsel and the Respondent agree that the approval of this Consent Order is left to the discretion of the Board. The signature of Complaint Counsel and the Respondent are expressly conditioned on the Board accepting this Consent Order. If the Board rejects this Consent Order, in whole or in part, then the entire document shall be null and void; thereafter, neither of the parties nor anyone else may rely on these stipulations in this proceeding.

As to any matter in this Consent Order left to the discretion of the Board, neither the Respondent, nor anyone acting on her behalf, has received any promises or representations regarding the same.

The Respondent waives any right of appeal that she may have resulting from the Board's acceptance of this Consent Order.

The Respondent shall provide a complete copy of this Consent Order within ten (10) days by certified mail, return receipt requested, or by hand delivery to the following designated entities: any in- or out-of-state hospital, nursing home, clinic, other licensed facility, or municipal, state, or federal facility at which the Respondent practices medicine; any in- or out-of-state health maintenance organization with whom the Respondent has privileges or any other kind of association; any state agency, in- or out-of-state, with which the Respondent has a provider contract; any in- or out-of-state medical employer, whether or not the Respondent practices medicine there; the state licensing boards of all states in which the Respondent has any

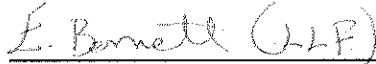
kind of license to practice medicine; the Drug Enforcement Administration Boston Diversion Group; and the Massachusetts Department of Public Health Drug Control Program. The Respondent shall also provide this notification to any such designated entities with which the Respondent becomes associated in the year following the date of imposition of this reprimand. The Respondent is further directed to certify to the Board within ten (10) days that the Respondent has complied with this directive.

The Board expressly reserves the authority to independently notify, at any time, any of the entities designated above, or any other affected entity, of any action it has taken.



LaTania Akers-White, M.D.  
Licensee

12/16/2022  
Date



Erik R. Bennett, Esq.  
Complaint Counsel

1/12/2023  
Date

So ORDERED by the Board of Registration in Medicine this 6<sup>th</sup> day of April.



Julian N. Robinson, M.D.  
Board Chair