

**STATE OF TENNESSEE
DEPARTMENT OF HEALTH**

IN THE MATTER OF:)	
)	
RICHARD S. CHANG, M.D.)	BEFORE THE TENNESSEE
RESPONDENT)	BOARD OF MEDICAL EXAMINERS
)	
)	
FRANKLIN, TENNESSEE)	DOCKET NUMBER: 17.18-242431A
TENNESSEE LICENSE NO. 42192)	

AGREED ORDER

Come now the Division of Health-Related Boards of the Tennessee Department of Health (“State”), by and through the Office of General Counsel, and Respondent, Richard S. Chang, M.D. (“Respondent”), and respectfully move the Tennessee Board of Medical Examiners (“Board”) for approval of this Agreed Order affecting Respondent’s medical license in the State of Tennessee.

The Board is responsible for the regulation and supervision of medical professionals licensed to practice in the State of Tennessee. *See* Tennessee Medical Practice Act, Tennessee Code Annotated sections (“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 individuals who violate the provisions of TENN. CODE ANN. § 63-6-101, *et seq.* or the Rules and Regulations promulgated by the Board and recorded in the Official Compilation Rules and Regulations of the State of Tennessee (“TENN. COMP. R. & REGS.”)

Respondent, by signing this Agreed 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 Agreed 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 Agreed Order. Respondent understands that by signing this Agreed 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 Agreed Order for any reason, it will be of no force or effect for either party.

STIPULATIONS OF FACT

1. Respondent has been at all times pertinent hereto licensed by the Board as a medical doctor in the State of Tennessee, having been granted license number 42192 by the Board effective April 30, 2018, which currently has an expiration date of February 28, 2025.
2. On September 20, 2023, the Maryland State Board of Physicians (“Maryland Board”) issued a Consent Order (“Maryland Board”) disciplining Respondent’s Maryland medical license based upon Respondent’s failure to adequately safeguard protected health information while practicing pre-authorization radiology.
3. The Maryland Order placed the Respondent’s license on probation for a minimum of eighteen (18) months, required him to complete courses in ethics and medical recordkeeping, and required him to pay a \$10,000 civil fine.
4. The acts for which Respondent was disciplined in Maryland would be grounds for disciplinary action in Tennessee.

GROUNDS FOR DISCIPLINE

The preceding Stipulations of Fact are sufficient to establish that Respondent has violated the following law for which the Act, TENN. CODE ANN. § 63-6-101, *et seq.*, authorizes disciplinary action before and by the Board:

5. The facts stipulated in paragraphs two (2), through four (4), *supra*, 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[.]

POLICY STATEMENT

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

ORDER

NOW THEREFORE, Respondent, for the purpose of avoiding further administrative action with respect to this cause, agrees to the following:

6. The Tennessee medical license of Richard S. Chang, M.D., license number 42192, is hereby placed on **PROBATION**, effective the date of the entry of this Agreed Order, running concurrent with and for as long as the probation of his Maryland license.

- a. During the period of probation, Respondent shall maintain good and lawful conduct. Any violation of law that relates to the practice of medicine or Respondent’s ability to safely and competently practice medicine will be a violation of the terms of this Agreed Order.
 - b. During the period of probation, Respondent shall comply with all provisions of the Maryland Order. Any failure to comply with the provisions of the Maryland Order will be a violation of the terms of this Agreed Order.
 - c. When Respondent’s Maryland medical license has been reinstated with no encumbrances or restrictions, and his probation is lifted in Maryland, Respondent becomes eligible to petition the Board for an “Order of Compliance” lifting the probation restrictions imposed by this Agreed Order. As part of his petition for an “Order of Compliance,” Respondent shall appear personally before the Board.
7. Respondent shall pay, pursuant to TENN. CODE ANN. § 63-6-214(k) and Rule 0880-2-.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 and are due in full within thirty (30) days of the issuance of the Assessment of Costs. The maximum amount of costs shall be five thousand dollars (\$5,000.00).
8. Costs shall be paid by mailing or delivering a **certified check, cashier’s check, or money order** payable to the **State of Tennessee** to: **Office of General Counsel, Attn: Disciplinary Coordinator, Tennessee Department of Health, 665 Mainstream Drive, Second Floor, Nashville, Tennessee 37243**. A notation shall be placed on said check or money order that it is payable for the costs of **Richard S. Chang, Case Number 2023033351**.

9. During the period of probation, Respondent shall not serve as a collaborating physician or substitute collaborating physician.
10. Within thirty (30) days of entry of this Agreed Order, Respondent must provide written documentation to the Board's disciplinary coordinator, by mail at: **Disciplinary Coordinator, The Division of Health-Related Boards, Tennessee Department of Health, 665 Mainstream Drive, 2nd Floor, Nashville, Tennessee 37243** or by email at **disciplinary.coordinator@tn.gov**, that he has updated his information on file with the Board, to include the Licensure and Regulatory System ("LARS") and the Controlled Substance Monitoring Database ("CSMD"), to accurately reflect termination of his collaborating relationships, or a statement that no update is needed. Proof must also be submitted to the Board's disciplinary coordinator that Respondent has notified any supervisees, by certified mail return receipt requested, of this discipline and his inability to continue to serve as a supervising/collaborating physician.
11. 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.
12. Failure to comply with any of the terms of this Order shall be considered a Board Order violation, which may result in further discipline against Respondent pursuant to TENN. CODE ANN. 63-6-214(b)(2).

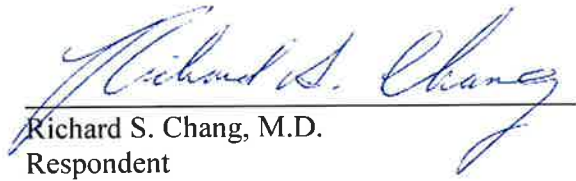
This **AGREED ORDER** was approved by a majority of a quorum of the Tennessee Board of Medical Examiners at a public meeting of the Board and signed this 31st day of

July, 2024.




Chairperson
Tennessee Board of Medical Examiners

APPROVED FOR ENTRY:


Richard S. Chang, M.D.
Respondent

7/22/20224
DATE



Paetria Morgan, BPR #031772
Senior Associate General Counsel
Office of General Counsel
Tennessee Department of Health
665 Mainstream Drive, 2nd Floor
Nashville, Tennessee 37243
(615) 253-7713

7/31/24
DATE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this document has been served upon Respondent Richard S. Chang, M.D., 344 18th Street, Santa Monica, California, 90402 by delivering same in the United States Mail, Certified Number 9589 0710 5270 0707 9300 96, return receipt requested, and United States First Class Mail, with sufficient postage thereon to reach its destination, and via e-mail at richard.chang@evicore.com.

This 1st day of August, 2024.


Paetria P. Morgan
Senior Associate General Counsel

TN SOS-APD Wed, Jul 31, 2024 03:30 PM : 6 of 6 pages filed