

washingtonpost.com

Multiple State Licenses Helped Shield History

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Tuesday, April 12, 2005; Page A07

After physician Joseph S. Hayes was charged in 1999 with fondling female patients -- but before he was convicted -- he simply pulled out a different state license and moved. He left Tennessee and got a job at a wellness center in South Carolina, where he had held a license since 1973.

Because he had kept his South Carolina license active, he said, he could start practicing there without any new applications or background checks.

"As long as they pay that fee to keep their license active, they can move from one state to another and nobody is none the wiser," said Thomas Croft, former head of the National Practitioner Data Bank.

Hayes's move to Greer, S.C., came after several run-ins with the law in Tennessee. He had three criminal convictions since 1987 for drug offenses and assaults, according to court and state medical board records, including choking a patient and possession of a controlled substance, a felony.

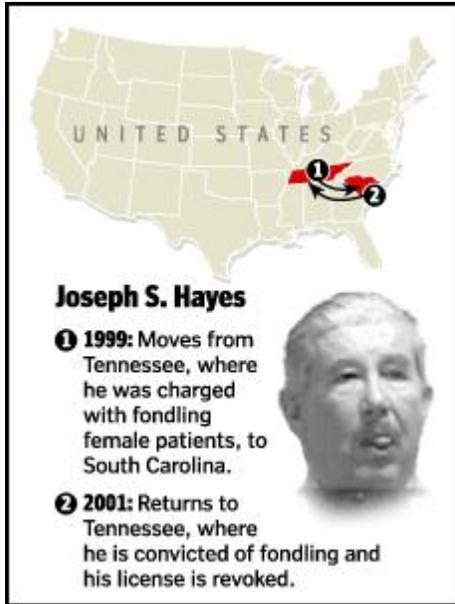
Hayes, 59, a family practice doctor, pleaded guilty to assault and resisting arrest after he attacked a police officer who was trying to place him under arrest.

And he was charged with slapping a waitress in a dispute over a restaurant bill. The judge dropped that charge after Hayes agreed to apologize to the woman and stay away from the restaurant.

"The foregoing is indicative of a medical professional who is out of control," according to a 1991 Tennessee board order suspending Hayes's license.

But Hayes ignored the suspension. He saw patients and dispensed drugs, according to board records.

His Tennessee license was revoked a few months later but reinstated in 1993.



SOURCE: State Medical Boards

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South Carolina was not the only alternative for Hayes. He was issued a Virginia license in August 1999, two months after being charged with touching patients in Tennessee, but it was suspended in 2002. He has also held a North Carolina license, which was revoked in 2004.

Tennessee revoked his license in 2001 after he returned there and was convicted of fondling three patients. But in 2002, it was reinstated with limitations, allowing him to perform administrative jobs only in a male prison.

He said he feels the restrictions are unfair. "I had some problems related to drugs and alcohol and went through treatment, and I think I'm a hell of a lot better than some who haven't been treated," Hayes said in an interview.

"I am looking forward to getting an unrestricted license."

Hayes, who said he bought and runs a mold remediation company in Tennessee, said he hopes to return to practicing family medicine or urgent care this month.

Staff researcher Bobbye Pratt contributed to this report.

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