

**BEFORE THE MEDICAL LICENSURE COMMISSION
OF ALABAMA**

ALABAMA STATE BOARD OF MEDICAL))	
EXAMINERS,))	
)	
Complainant,))	
)	Case No. 2020-244
vs.))	2020-207
)	
LEAH N. TORRES, M.D.))	
)	
Respondent.))	
_____))	

ORDER

These matters, having been previously consolidated for hearing, came before the Medical Licensure Commission of Alabama for hearing on December 21, 2020. The Administrative Complaint filed in case number 2020-207 having been rendered moot by the expiration of the temporary license previously issued to Dr. Torres, it is hereby ordered, that the Administrative Complaint numbered 2020-207 be and is hereby DISMISSED by stipulation of the parties.

A hearing was held on December 21, 2020 on the appeal from the Alabama Board of Medical Examiners of the denial of an initial COQ applied for by Dr. Torres in case number 2020-244. Dr. Torres, along with counsel, appeared for the hearing, gave testimony, and submitted evidentiary material. The Board of Medical Examiners was represented by Mr. Wilson Hunter and his staff and submitted testimony and evidentiary material.

Regarding the claim of unprofessional conduct, the Commission found insufficient evidence that Dr. Torres's statements violated the high standard of ethical integrity or were shameful or immoral in that she was only describing a procedure that is legal in Alabama. Regarding the claim that Dr. Torres was deceptive in applying for a Temporary Emergency License when she did not

directly care for COVID-19 patients, the evidence received demonstrated that, at the time Dr. Torres applied, the language in the required affirmation was ambiguous and has since been clarified. Dr. Torres did, however, state in her application that she expected to be employed by "West Alabama Women's Center." It seems evident that this is a medical facility that does not provide direct care to COVID-19 patients. Further, the Commission notes that Dr. Torres's intent regarding the affirmation made by her in conjunction with her application for a temporary emergency license was not made a basis of the COQ denial by the board and is, therefore, outside of the Commission's jurisdiction to consider, except to the extent offered for impeachment.

Regarding the claims that Dr. Torres was untruthful in multiple answers on the application form, although the Commission found no overwhelming evidence to agree with the BME's denial of a COQ in an otherwise competent and qualified applicant, there were elements in some of Dr. Torres's answers in her application which, in their totality, were suggestive of deceptive answers and a lack of ethical integrity expected of practicing physicians in Alabama. Thus, the Commission directs that Dr. Torres must attend an ethics course. The Commission further notes that it lacks jurisdiction to consider evidence submitted at the hearing relative to whether and to what extent Dr. Torres practiced medicine after her temporary suspension of license in 2020, except to the extent offered as impeachment.

Based upon the evidence and testimony submitted at the hearing, the Commission hereby ORDERS and directs that the Alabama Board of Medical Examiners shall issue a certificate of qualification to practice medicine in the state of Alabama to Leah N. Torres, M.D. upon the completion of the following:

- 1) The successful completion by Dr. Torres of an ethics course to be approved by the Board; and

2) The issuance and payment of a non-disciplinary citation and administrative fine to Dr. Torres in an amount to be determined by the Board.

Done this 29th day of December, 2020.

A handwritten signature in black ink that reads "George C. Smith, Sr., M.D." in a cursive style.

GEORGE C. SMITH, SR., M.D.
Chairman, Medical Licensure Commission
of Alabama