



Department of Health

KATHY HOCHUL
Governor

MARY T. BASSETT, M.D., M.P.H.
Commissioner

KRISTIN M. PROUD
Acting Executive Deputy Commissioner

June 13, 2022

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Lora Mills, PA

Deborah Beth Medows, Senior Attorney
NYS Department of Health
Division of Legal Affairs
Bureau of Professional Medical Conduct
90 Church Street, 4th Floor
New York, New York 10007

RE: In the Matter of Lora Lynn Mills, PA

Dear Parties:

Enclosed please find the Determination and Order (No. 22-143) of the Hearing Committee in the above referenced matter. This Determination and Order shall be deemed effective upon the receipt or seven (7) days after mailing by certified mail as per the provisions of §230, subdivision 10, paragraph (h) of the New York State Public Health Law.

As prescribed by the New York State Public Health Law §230, subdivision 10, paragraph (i), (McKinney Supp. 2015) and §230-c subdivisions 1 through 5, (McKinney Supp. 2015), "the determination of a committee on professional medical conduct may be reviewed by the Administrative Review Board for professional medical conduct." Either the Respondent or the Department may seek a review of a committee determination.

All notices of review must be served, by certified mail, upon the Administrative Review Board and the adverse party within fourteen (14) days of service and receipt of the enclosed Determination and Order.

The notice of review served on the Administrative Review Board should be forwarded to:

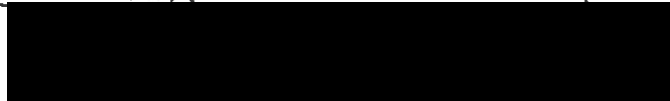
Jean T. Carney, Administrative Law Judge
New York State Department of Health
Bureau of Adjudication
Riverview Center
150 Broadway – Suite 510
Albany, New York 12204

The parties shall have 30 days from the notice of appeal in which to file their briefs to the Administrative Review Board.

Six copies of all papers must also be sent to the attention of Judge Carney at the above address and one copy to the other party. The stipulated record in this matter shall consist of the official hearing transcript(s) and all documents in evidence.

Parties will be notified by mail of the Administrative Review Board's Determination and Order.

Sincerely,

A large black rectangular redaction box covering the signature area.

Dawn MacKillop-Soller /
Acting Chief Administrative Law Judge
Bureau of Adjudication

DXM: nm
Enclosure

York law. A licensee charged solely with a violation of Education Law §6530(9) is entitled to a hearing, the scope of which is limited to whether there is a relevant conviction or administrative determination and if so, the nature and severity of the penalty to be imposed. PHL §230(10)(p). Hearing procedures are set forth in Department regulations at 10 NYCRR Part 51. The Department had the burden of proving its case by a preponderance of the evidence. PHL §230(10)(f).

FINDINGS OF FACT

The following findings are the unanimous determinations of the Hearing Committee:

1. The Respondent was authorized by the Education Department to practice as a physician assistant on November 10, 2015 and issued license number 019353. (Exhibit 7.)
2. By Judgment of Guilt and Sentence by the Chandler Municipal Court, County of Maricopa, State of Arizona dated February 12, 2020, the Respondent was adjudicated guilty following her plea of guilty to driving under the influence, a misdemeanor crime, in violation of Arizona state law §28-1381(A)(1). The Respondent was sentenced to ten days in jail with credit for one day served and nine days suspended upon completion of alcohol/drug abuse screening at Arizona Behavioral Counseling and education/counseling, including the Impact Panel at Mothers Against Drunk Drivers. Her sentence also included equipping her vehicle with a certified ignition interlock device for a period of six months and payment of a fine and fee totaling \$1,619. (Exhibit 5.)

DISCUSSION

The Hearing Committee unanimously decided that the Respondent's conviction for driving under the influence under Arizona state law, which would also constitute a misdemeanor crime had it occurred in New York, specifically driving while intoxicated under New York Vehicle and Traffic Law §1192(3), establishes she violated Education Law §6530(9)(a)(iii), which defines professional misconduct as:

9. (a) Being convicted of committing an act constituting a crime under (iii) the law of another jurisdiction and which, if committed within this state, would have constituted a crime under New York state law.

The Hearing Committee considered the full spectrum of penalties under PHL §230-a and agreed with the Department's recommendation to impose the penalty of censure and reprimand. The Hearing Committee viewed the extensive rehabilitation efforts put into place by the criminal court, including the alcohol/drug education program that the Respondent successfully completed, as reducing the risk of recidivism. Indeed, the Arizona Regulatory Board of Physician Assistants took no action on her registration in that state. (Exhibits 5, 6.) The Hearing Committee rejected the Department's recommendation of a \$500 fine on the ground that her payment of a \$1,539 fine and \$80 fee in the criminal matter constitute sufficient financial penalties.

ORDER

IT IS HEREBY ORDERED THAT:

1. The specification of professional misconduct set forth in the Statement of Charges is SUSTAINED.
2. The Respondent's license to practice as a physician assistant in New York State is subject to a censure and reprimand under PHL §230-a(1).
3. This Order shall be effective upon service on the Respondent in accordance with the requirements of PHL § 230(10)(h).

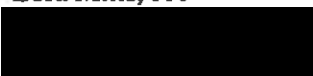
DATED: Albany, New York

08 June, 2022


James M. Leonardo, MD
Chairperson

David E. Kaplan, MD
David F. Irvine, DHSc, PA

To: Lora Mills, PA


Deborah Beth Medows, Senior Attorney
New York State Department of Health
Division of Legal Affairs
Bureau of Professional Medical Conduct
90 Church Street, 4th Floor
New York, New York 10007

IN THE MATTER
OF
LORA LYNN MILLS, P.A.

STATEMENT
OF
CHARGES

LORA LYNN MILLS, P.A., the Respondent, was authorized to perform medical services in New York State on or about November 10, 2015, by the issuance of license number 019353 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about February 12, 2020, following Respondent's guilty plea on that same date, the Chandler Municipal Court of Maricopa County in Arizona issued a Judgement and Sentence in which Respondent was convicted of a DUI misdemeanor. Among other terms and conditions, Respondent was ordered to: pay a fine of \$1,539 and a monitoring fee of \$80; obtain screening, substance abuse education, counseling or treatment; serve ten days of incarceration with credit for one day served and nine days suspended upon alcohol/drug abuse screening and successful completion of education/counseling; attend one alcohol impact session sponsored by Mothers Against Drunk Driving; and equip

any motor vehicle that Respondent operates with a certified ignition interlock device for not less than 6 months.

SPECIFICATION OF CHARGES

CRIMINAL CONVICTION

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(a)(iii) by having been convicted of committing an act constituting a crime under the law of another jurisdiction and which, if committed within this state, would have constituted a crime under New York state law (namely New York Vehicle and Traffic Law §1192 (3) Driving While intoxicated) as alleged in the facts of the following:

1. The facts in Paragraph A.

DATE: April 28, 2022
New York, New York


Henry Weintraub
Chief Counsel
Bureau of Professional Medical Conduct