

BEFORE THE WEST VIRGINIA BOARD OF OSTEOPATHIC MEDICINE

WEST VIRGINIA BOARD OF OSTEOPATHIC MEDICINE,

Complainant,

Complaint No. 2025-16

v.

ALEXANDER BALL, D.O.,

Respondent.

CONSENT ORDER

The West Virginia Board of Osteopathic Medicine (“Board”) and Alexander Ball, D.O. (“Respondent”), agree to entry of the following Consent Order pursuant to W. Va. Code § 30-14-1, *et seq.*, W. Va. Code § 30-1-1 *et seq.*, and the rules of the Board.

STIPULATION OF FACTS

The Board and Respondent stipulate to the truthfulness and accuracy of the following facts:

1. Respondent is a licensee of the Board, possessing Board-issued license number 4617 to practice osteopathic medicine and surgery in the state of West Virginia.
2. On or about August 13, 2025, the Board received a complaint from the Executive Director of the Kanawha County Ambulance Authority asserting various allegations against Dr. Ball arising from an incident that occurred on August 10, 2025. The Board designated the matter as Complaint No. 2025-16.

3. On August 10, 2025, Dr. Ball was the only physician working in the emergency room ("ER") at Montgomery General Hospital ("MGH") when the Kanawha County Ambulance Authority arrived with a critical patient at approximately 11:32 a.m.

4. Dr. Ball had left the ER on his own accord prior to the patient's arrival, and personnel began looking for him. At approximately 12:13 p.m., Dr. Ball was found asleep in his vehicle on an upper floor in the parking garage.

5. Dr. Ball was told by an emergency medical technician ("EMT") that a critical patient had been transported to the ER, and he was needed there urgently.

6. Dr. Ball acknowledged the EMT and rolled up his window. Dr. Ball proceeded to remain in his vehicle for approximately eleven minutes while he appeared to be scrolling through his phone. An EMT then opened a door to Dr. Ball's vehicle and questioned if he intended to return to the ER. Alcoholic beverages were seen in the passenger side floorboard. Dr. Ball returned to the ER and ultimately intubated the patient who was transferred to a larger hospital.

7. At this stage of the investigation, the Board has received no reports that Dr. Ball consumed alcohol during his shift, and the EMT who had the closest contact with Dr. Ball did not smell alcohol on his breath.

8. The Board and Respondent voluntarily enter into this Consent Order to resolve Complaint No. 2025-16.

STIPULATED CONCLUSIONS OF LAW

1. The West Virginia Board of Osteopathic Medicine is a board of examination and registration created for the purpose of regulating the practice of osteopathic medicine and surgery in the State of West Virginia. W. Va. Code § 30-14-1, *et seq.*
2. The Board is authorized to impose sanctions when a licensee has been rendered unfit or unqualified to practice osteopathic medicine in accordance with the applicable standard of care to patients. W. Va. Code R. § 24-1-18 and W. Va. Code § 30-1-8.
3. Based on the Stipulations of Fact, the licensee has engaged in conduct which violates the provisions of W. Va. Code R. § 24-1-18.1.10 (engaged in unprofessional conduct). Accordingly, there are legal grounds for the parties to enter into this Agreed Order.
4. Pursuant to W. Va. Code § 30-1-8(g), the parties may fully and finally resolve this pending matter without an evidentiary hearing by entering into an informal resolution such as this Consent Order.

ACKNOWLEDGEMENT OF RIGHTS

I, Alexander Ball, D.O., having read this document and by signing my name to it, understand and acknowledge the following:

This is a legally binding document that affects my rights and privileges.

1. I have the right to consult a lawyer concerning the terms of this agreement and the legal rights and remedies that may otherwise be available to me, and I have exercised that right in this case.

2. I understand that, without my consent, no permanent legal action may be taken against me except after a hearing.

3. I understand that, instead of accepting this agreement, I may demand that the Board prove the allegations in the above-styled complaint against me by presenting evidence in a hearing conducted under law. If I choose to have a hearing, I would not have the burden of proof. I could, however, present evidence on my own behalf and I would have the right to cross-examine all witnesses who might testify against me. I also understand that I have the right to subpoena witnesses and records in order to compel their production at the hearing.

4. I knowingly and voluntarily waive all such rights and agree to entry of this Consent Order.

5. I acknowledge that this agreement is a legally binding Order. I also acknowledge, that, if I violate any terms and conditions of the Order, the Board may take further action as permitted by law.

6. I understand that this is a public document and that the Board is legally obligated to allow any person to review this Consent Order. I also understand that this action and Order may be reported to other boards, to other jurisdictions, to the National Practitioner Data Bank, and to the Federation of State Medical Boards.

7. I understand that, as a result of this Consent Order, other licensing boards and authorities may take adverse action against my license as allowed by laws and regulations governing those boards and authorities.

TERMS OF ORDER

WHEREFORE, based on the foregoing Stipulation of Facts and Conclusions of Law, and with the consent of the Licensee as signed by his joinder herein, the West Virginia Board of Osteopathic Medicine does hereby **REPRIMAND** Licensee, subject to the following terms and conditions:

1. Dr. Ball shall enroll in the West Virginia Medical Professionals Health Program (“WVPHP”);
2. Dr. Ball shall comply with all treatment recommendations and requirements established by her WVPHP agreement and said agreement shall be submitted to the Board;
3. The WVPHP will provide written documentation to the Board on a quarterly basis verifying Dr. Ball’s compliance with all aspects of the WVMPHP agreement during the period of treatment and monitoring and will deliver a final report at least 14 days prior to the end of this period;
4. By affixing his signature to this consent order, Dr. Ball hereby agrees that all records related to his care, treatment and monitoring, including medical records, may be disclosed to the Board for its review, consideration, and use in any subsequent proceedings before the Board, and Dr. Ball further agrees to execute any further documents authorizing disclosure of the same if necessary;
5. Dr. Ball shall pay a fine of \$1,500;
6. Dr. Ball is financially responsible for payment of all expenses for treatment, counseling, monitoring, and the other terms and conditions of this Consent Order;

7. Dr. Ball will conduct himself in a professional manner in all aspects of his work and practice and will remain free of any charges of unprofessional conduct or disciplinary action before this Board, any corresponding board in any other jurisdiction, any other state or federal agency, or before any hospital, peer review committee, or medical corporation or partnership;

8. Dr. Ball will be truthful and forthright in all communications with the Board;

9. Dr. Ball shall not violate or be charged with violating any criminal laws of the state of West Virginia, the United States, any municipality, or any other state, possession or territory of the United States;

10. If Dr. Ball fails to comply with, or complete any of the terms stated herein, the Board may rescind or modify this Consent Order and take any other action, including revocation of Dr. Ball's license, that is authorized by law;

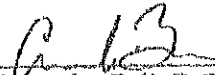
11. The preceding terms and conditions apply, and shall remain in effect, unless modified by order of the Board; and

12. In order to be released from the restrictions of this Consent Order, Dr. Ball must apply to the Board to lift restrictions and must demonstrate that she has satisfactorily completed and complied with all of the terms of this Consent Order.

ACKNOWLEDGEMENT OF LICENSEE:

I have read and understand each of the provisions of this Consent Order. I agree to abide by the terms set out herein and to be bound by them.

Signed:



Alexander Ball, D.O.

Date: 3/31/20

ORDERED BY THE BOARD OF OSTEOPATHIC MEDICINE:

By agreement of the West Virginia Board of Osteopathic Medicine, it is ORDERED and entered this 3rd day of April, 2020.

WEST VIRGINIA BOARD OF OSTEOPATHIC MEDICINE:

By: Andy Tanner DO
Andy Tanner D.O.
President
West Virginia Board of Osteopathic Medicine