

STATE OF ALABAMA        )  
                                  )  
MONTGOMERY COUNTY     )

**VOLUNTARY SURRENDER**

I, Thomas J. Shaknovsky, D.O., do voluntarily surrender my certificate of qualification and license to practice medicine or osteopathy in the State of Alabama, identified by license number DO.1639, under the provisions of Ala. Code § 34-24-361(g). I acknowledge that this action is taken by me while under investigation by the Alabama State Board of Medical Examiners ("Board").

I acknowledge that I sign this document willingly, that I execute it as my free and voluntary act for the purposes herein expressed, and that I am of sound mind and under no constraint or undue influence. I understand that this surrender shall have the same effect as a revocation of my license, and I knowingly forfeit and relinquish all right, title, and privilege to practice medicine in the State of Alabama, unless and until such time as my license may be reinstated, in the discretion of the Board and the Medical Licensure Commission of Alabama ("Commission").

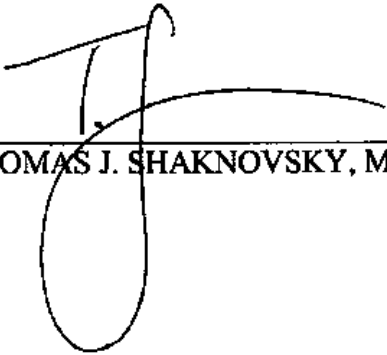
I understand that I have a right to a hearing in this matter, and I hereby freely, knowingly, and voluntarily waive such right to a hearing. I also understand that both the Board and Commission shall have access to any investigative file in this matter should I request reinstatement of my certificate of qualification and medical license, and that the Board has the right to contest my reinstatement. I understand that the Board may summarily deny any petition for reinstatement of my certificate of qualification for two (2) years from the effective date of this surrender. I further understand that upon applying for reinstatement, it shall be my burden to prove by sufficient evidence that I satisfy the criteria for reinstatement as provided for in the Board's rules, which include, but are not limited to, demonstrating to the satisfaction

 Thomas J. Shaknovsky

of the Board that I am able to practice medicine with reasonable skill and safety to patients.

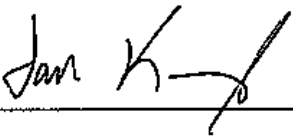
I understand that this surrender shall become effective upon acceptance by the Board. I further acknowledge that this voluntary surrender constitutes a public record of the Board and will be reported by the Board to the National Practitioner Data Bank ("NPDB") and to the Federation of State Medical Boards. This voluntary surrender may be released by the Board to any person or entity requesting information concerning the licensure status in Alabama of the physician named herein.

EXECUTED this 7 day of November, 2024.

  
\_\_\_\_\_  
THOMAS J. SHAKNOVSKY, M.D.

Witnessed by:

(Print) Ian P. Kennedy

(Sign)   
\_\_\_\_\_

 Thomas J. Shaknovsky

**ALABAMA STATE BOARD OF  
MEDICAL EXAMINERS,**

**Complainant,**

**vs.**

**THOMAS J. SHAKNOVSKY, D.O.,**

**Respondent.**

**BEFORE THE MEDICAL  
LICENSURE COMMISSION  
OF ALABAMA**

**CASE NO. 2024-243**

**ORDER TEMPORARILY SUSPENDING LICENSE  
AND SETTING HEARING**

The Medical Licensure Commission has received the verified Administrative Complaint and Petition for Summary Suspension of License (“the Administrative Complaint”) filed by the Alabama State Board of Medical Examiners in this matter. The Commission has determined that this matter is due to be set down for hearing under the provisions of Ala. Code § 34-24-361(e). This Order shall serve as the Notice of Hearing prescribed in Ala. Admin. Code r. 545-X-3-.03(3), (4). The Commission’s legal authority and jurisdiction to hold the hearing in this matter are granted by Article 8, Chapter 24, Title 34 of the Code of Alabama (1975), and the particular sections of the statutes and rules involved are as set forth in the Administrative Complaint and in this Order.

**1. Temporary Suspension of License**

Upon the verified Administrative Complaint of the Alabama State Board of Medical Examiners, and pursuant to the legal authority of Ala. Code §§ 34-24-361(f) and 41-22-19(d), it is the ORDER of the Commission that the license to practice medicine or osteopathy, license certificate number DO.1639 of THOMAS J. SHAKNOVSKY, D.O. (“Respondent”), be, and the same is hereby, immediately SUSPENDED. Respondent is hereby ORDERED and DIRECTED to surrender the said license certificate to the Medical Licensure Commission, at 848 Washington Avenue, Montgomery, Alabama, 36104. Respondent is further ORDERED immediately to CEASE and DESIST from the practice of medicine in the State of Alabama.

This action is taken consistent with the Rules and Regulations of the Board of Medical Examiners and the Medical Licensure Commission and Ala. Code § 34-24-361(f), based upon the request of the Alabama State Board of Medical Examiners upon the Board’s finding and certification that the Board presently has in its possession evidence that the continuance in practice of Respondent may constitute an immediate danger to his patients and the public.

Respondent is reminded that the suspension of his or her license to practice medicine in Alabama triggers certain obligations with regard to patient notification

and patient records. *See* Ala. Admin. Code r. 540-X-9-.10(4)(c); 545-X-4-.08(4)(c). Respondent shall comply with these requirements.

**2. Service of the Administrative Complaint**

A copy of the Administrative Complaint and a copy of this Order shall be served forthwith upon the Respondent, by personally delivering the same to Respondent if he or she can be found within the State of Alabama, or, by overnight courier, signature required, to Respondent's last known address if he or she cannot be found within the State of Alabama. The Commission further directs that personal service of process shall be made by KedEx/Nicole Roque, who is designated as the duly authorized agent of the Commission.

**3. Initial Hearing Date**

This matter is set for a hearing as prescribed in Ala. Code §§ 34-24-360, *et seq.*, and Ala. Admin. Code Chapter 545-X-3, to be held on Wednesday, December, 18, 2024, at 10:00 a.m., at 848 Washington Avenue, Montgomery, Alabama, 36104. Unless otherwise specified by the Commission, the hearing will be held in person. All parties and counsel are expected to appear and to be prepared for the hearing at this date, time, and place.

**4. Appointment of Hearing Officer**

The Commission appoints the Honorable William R. Gordon, Circuit Judge (Ret.) as the Hearing Officer in this matter, pursuant to Ala. Admin. Code r. 545-X-3-.08. The Hearing Officer shall exercise general superintendence over all pre-hearing proceedings in this matter, and shall serve as the presiding officer at the hearing, having and executing all powers described in Ala. Admin. Code r. 545-X-3-.08(1)(a)-(g).

**5. Answer**

Respondent shall file an Answer, as prescribed in Ala. Admin. Code r. 545-X-3-.03(6), within 20 calendar days of the service of the Administrative Complaint. If Respondent does not file such an Answer, the Hearing Officer shall enter a general denial on Respondent's behalf.

**6. Rescheduling/Motions for Continuance**

All parties and attorneys are expected to check their schedules immediately for conflicts. Continuances will be granted only upon written motion and only for good cause as determined by the Chairman (or, in his absence, the Vice-Chairman) of the Medical Licensure Commission. Continuances requested on grounds of engagement of legal counsel on the eve of the hearing will not be routinely granted.

**7. Case Management Orders**

The Hearing Officer is authorized, without further leave of the Commission, to enter such case management orders as he considers appropriate to the particular case. Among any other matters deemed appropriate by the Hearing Officer, the Hearing Officer may enter orders addressing the matters listed in Ala. Admin. Code r. 545-X-3-.03(5)(a)-(f) and/or 545-X-3-.08(1)(a)-(g). All parties will be expected to comply with such orders.

**8. Manner of Filing and Serving Pleadings**

All pleadings, motions, requests, and other papers in this matter may be filed and served by e-mail. All filings shall be e-mailed to:

- The Hearing Officer, William Gordon (wrgordon@charter.net);
- The Director of Operations of the Medical Licensure Commission, Rebecca Robbins (rrobbins@almlc.gov);
- General Counsel of the Medical Licensure Commission, Aaron Dettling (adettling@almlc.gov);
- General Counsel for the Alabama Board of Medical Examiners, Wilson Hunter (whunter@albme.gov); and
- Respondent/Licensee or his or her counsel, as appropriate.

The Director of Operations of the Medical Licensure Commission shall be the custodian of the official record of the proceedings in this matter.

**9. Discovery**

Consistent with the administrative quasi-judicial nature of these proceedings, limited discovery is permitted, under the supervision of the Hearing Officer. *See* Ala. Code § 41-22-12(c); Ala. Admin. Code r. 545-X-3-.04. All parties and attorneys shall confer in good faith with one another regarding discovery. If disputes regarding discovery are not resolved informally, a motion may be filed with the Hearing Officer, who is authorized to hold such hearings as appropriate and to make appropriate rulings regarding such disputes.

**10. Publicity and Confidentiality**

Under Alabama law, the Administrative Complaint and this Order are public documents. The hearing itself is closed and confidential. The Commission's written decision, if any, will also be public. *See* Ala. Code § 34-24-361.1; Ala. Admin. Code r. 545-X-3-.03(10)(h), (11).

**11. Stipulations**

The parties are encouraged to submit written stipulations of matters as to which there is no basis for good-faith dispute. Stipulations can help to simplify and shorten the hearing, facilitate the Commission's decisional process, and reduce the overall costs of these proceedings. Written stipulations will be most useful to the Commission if they are submitted in writing approximately 10 days preceding the

hearing. The Hearing Officer is authorized to assist the parties with the development and drafting of written stipulations.

**12. Judicial Notice**

The parties are advised that the Commission may take judicial notice of its prior proceedings, findings of fact, conclusions of law, decisions, orders, and judgments, if any, relating to the Respondent. *See* Ala. Code § 41-22-13(4); Ala. Admin. Code r. 545-X-3-.09(4).

**13. Settlement Discussions**

The Commission encourages informal resolution of disputes, where possible and consistent with public interest. If a settlement occurs, the parties should notify the Hearing Officer, the Commission's Director of Operations, and Commission's General Counsel. Settlements involving Commission action are subject to the Commission's review and approval. To ensure timely review, such settlements must be presented to the Commission no later than the Commission meeting preceding the hearing date. Hearings will not be continued based on settlements that are not presented in time for the Commission's consideration during a monthly meeting held prior to the hearing date. The Commission Vice-Chairman may assist the parties with the development and/or refinement of settlement proposals.

**14. Subpoenas**

The Commission has the statutory authority to compel the attendance of witnesses, and the production of books and records, by the issuance of subpoenas. *See* Ala. Code §§ 34-24-363; 41-22-12(c); Ala. Admin. Code r. 545-X-3-.05. The parties may request that the Hearing Officer issue subpoenas for witnesses and/or documents, and the Hearing Officer is authorized to approve and issue such subpoenas on behalf of the Commission. Service of such subpoenas shall be the responsibility of the party requesting such subpoenas.

**15. Hearing Exhibits**

- A. Parties and attorneys should, if possible, stipulate as to the admissibility of documents prior to the hearing.
- B. The use of electronic technology, USB drives, CD's, DVD's, etc. is acceptable and encouraged for voluminous records. If the Commission members will need their laptop to view documents, please notify the Hearing Officer prior to your hearing.
- C. If providing hard copies, voluminous records need not be copied for everyone but, if portions of records are to be referred to, those portions should be copied for everyone.
- D. If a document is to be referred to in a hearing, copies should be available for each Commission member, the Hearing Officer, the Commission's General Counsel, opposing attorney, and the court reporter (12 copies).
- E. Index exhibits/documents for easy reference.
- F. Distribute exhibit/document packages at the beginning of the hearing to minimize distractions during the hearing.

**16. Administrative Costs**

The Commission is authorized, pursuant to Ala. Code § 34-24-381(b) and Ala. Admin. Code r. 545-X-3-.08(9) and (10), to assess administrative costs against the Respondent if he or she is found guilty of any of the grounds for discipline set forth in Ala. Code § 34-24-360. The Board of Medical Examiners [ **X** ]has / [ ]has **not** given written notice of its intent to seek imposition of administrative costs in this matter.

**17. Appeals**

Appeals from final decisions of the Medical Licensure Commission, where permitted, are governed by Ala. Code §§ 41-22-20 and 34-24-367.

DONE on this the 23<sup>rd</sup> day of October, 2024.

THE MEDICAL LICENSURE  
COMMISSION OF ALABAMA

By:

  
\_\_\_\_\_  
Jorge Alsina, M.D.  
its Chairman

Distribution:

- Honorable William R. Gordon (incl. Administrative Complaint)
- Rebecca Robbins
- Respondent/Respondent's Attorney
- E. Wilson Hunter
- Aaron L. Dettling

**BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA**

**ALABAMA STATE BOARD OF  
MEDICAL EXAMINERS,** )  
)  
)  
**Complainant,** )  
)  
**v.** )  
)  
**THOMAS J. SHAKNOVSKY, D.O.** )  
)  
**Respondent.** )

**CASE NO.: 2024-243**

**ADMINISTRATIVE COMPLAINT AND  
PETITION FOR SUMMARY SUSPENSION OF LICENSE**

The Alabama State Board of Medical Examiners (hereinafter “the Board”), by and through its counsel, hereby submits this Administrative Complaint and Petition for Summary Suspension of License seeking to summarily suspend and revoke or sanction the medical license of THOMAS J. SHAKNOVSKY, D.O. (“Respondent”) under Ala. Code § 34-24-361(e), and states as follows:

**JURISDICTION**

1. On or about July 27, 2016, Respondent was issued a license to practice medicine in the State of Alabama, identified as DO.1639. Respondent has maintained an Alabama medical license since 2016 and was licensed at all times material to this complaint.

**FACTS**

2. Respondent is a general surgeon who practiced at Ascension Sacred Heart Emerald Coast (“Ascension”) in Miramar Beach, Florida. On or about September 10, 2024, the Board received a complaint from legal counsel in Pensacola, Florida who represents the widow of Respondent’s patient, [REDACTED] (“Patient [REDACTED]”). The complaint alleges that Respondent was to perform a splenectomy on Patient [REDACTED] on August 21, 2024 at Ascension. Unfortunately, Patient [REDACTED] died during the procedure “due to profound blood loss.” A subsequent pathology

report indicates that a portion of Patient [REDACTED]'s liver was submitted, but there was no spleen tissue present. Patient [REDACTED]'s family's understanding from the medical examiner's report was that Patient [REDACTED]'s spleen was still in place in his body at the time of the autopsy report, and his liver had been removed.

3. On or about September 25, 2024, the Board informed Respondent of its receipt of the complaint and notified him that he was under investigation.

4. During its investigation, the Board learned of two additional patients who had adverse events after surgical procedures performed by Respondent.

5. The first of these events occurred on or about May 12, 2023, and involved Patient [REDACTED] ("[REDACTED]"). Respondent was to perform a laparoscopic left adrenalectomy on Patient [REDACTED] but removed part of his pancreas instead. As a result, Respondent and Patient [REDACTED] entered into a medical malpractice settlement.

6. The second adverse event involved Patient [REDACTED] ("[REDACTED]"). On or about July 24, 2023, Respondent was scheduled to perform an ileostomy but instead opted to perform a bowel resection on Patient [REDACTED] which resulted in a perforation. Patient [REDACTED]'s health deteriorated post-operatively and she was moved to the ICU where she later died. The Florida Agency for Health Care Administration's investigation indicated that Respondent, along with other hospital physicians, failed to appropriately use diagnostic testing and delayed in ordering imaging to timely treat sepsis.

7. After the August 21, 2024 adverse event involving Patient [REDACTED] was reported to the Florida's Department of Health, the State Surgeon General for the State of Florida entered an Order of Emergency Suspension of License ("Order") on September 24, 2024. The Order's "Finding of Facts" is summarized and set out as follows:

Patient [REDACTED] was scheduled for an adrenalectomy due to a mass on the left adrenal gland. During the surgery, Dr. Shaknovsky removed a portion of his pancreas instead of the adrenal gland. Dr. Shaknovsky did not remove Mr. [REDACTED]'s adrenal gland. Pathology reports confirmed the tissue removed during the procedure which was labeled adrenal gland was pancreatic tissue. Dr. Shaknovsky claimed that the adrenal gland had migrated to a different part of the body.

On August 18, 2024, [REDACTED] presented to Ascension Sacred Heart with complaints of abdominal pain. Imaging revealed a suspected enlarged spleen and blood in the peritoneum with no active hemorrhage. Dr. Shaknovsky recommended surgery for the following three days and Mr. [REDACTED] denied surgery for two days and said he wanted to return home to Alabama. On day three Dr. Shaknovsky "continued to pressure" Mr. [REDACTED] to proceed with surgical intervention and Mr. [REDACTED] agreed. On August 21, 2024, at approximately 5:20 p.m. Mr. [REDACTED] was placed under general anesthesia. Dr. Shaknovsky began the procedure laparoscopically but elected to convert to an open procedure due to poor visibility caused by a distended colon and blood in the abdomen. Dr. Shaknovsky claimed that he clamped a splenic artery aneurysm close to the spleen to avoid rupture. He claimed before he could control the splenic artery, the aneurysm ruptured. He continued with the splenectomy after Mr. [REDACTED] had already been in cardiac arrest for fifteen minutes. Mr. [REDACTED] could not be resuscitated and was pronounced deceased. Dr. Shaknovsky removed an organ he believed to be the spleen but due to his shock and the chaos he was unable to properly identify the organ.

His operative report contained deceptive and untrue statements. Dr. Shaknovsky requested the organ he removed from the patient be labeled "spleen" and sent to pathology. Pathology identified the organ as a 2,106 gram liver. Dr. Shaknovsky told the staff that Mr. [REDACTED] died from a ruptured splenic artery aneurysm. An autopsy revealed that Mr. [REDACTED]'s "spleen and its attachments were untouched and in the normal position, his liver was missing, and his inferior vena cava had been severed." There was no evidence of a ruptured splenic artery aneurysm.

## **CHARGES**

8. The Board has investigated Respondent and concluded that there is probable cause to believe that he has violated Ala. Code § 34-24-360.

### **COUNT ONE – DISCIPLINARY ACTION TAKEN BY ANOTHER STATE**

9. On or about September 24, 2024, the State of Florida Department of Health suspended THOMAS J. SHAKNOVSKY, D.O.'s license to practice medicine in the state of

Florida, said action constituting disciplinary action in another state in violation of Ala. Code § 34-24-360(15).

**COUNT TWO – GROSS NEGLIGENCE**

10. On or about May 12, 2023, THOMAS J. SHAKNOVSKY, D.O. committed gross negligence in the practice of medicine in his treatment of Patient [REDACTED], in violation of Ala. Code § 34-24-360(9) and Ala. Admin. Code r. 545-X-4-.06.

**COUNT THREE – GROSS NEGLIGENCE**

11. On or about July 24, 2023, THOMAS J. SHAKNOVSKY, D.O. committed gross negligence in the practice of medicine in his treatment of Patient [REDACTED], in violation of Ala. Code § 34-24-360(9) and Ala. Admin. Code r. 545-X-4-.06.

**COUNT FOUR – GROSS NEGLIGENCE**

12. On or about August 21, 2024, THOMAS J. SHAKNOVSKY, D.O. committed gross negligence in the practice of medicine in his treatment of Patient [REDACTED], in violation of Ala. Code § 34-24-360(9) and Ala. Admin. Code r. 545-X-4-.06.

**COUNT FIVE – INABILITY TO PRACTICE WITH REASONABLE SKILL AND SAFETY**

13. On or about May 12, 2023 and continuing through present, THOMAS J. SHAKNOVSKY, D.O. exhibited an inability to practice medicine with reasonable skill and safety due to a lack of basic medical knowledge in his treatment of patients [REDACTED], [REDACTED] and [REDACTED], in violation of Ala. Code § 34-24-360(20)a and Ala. Admin. Code r. 545-X-4-.06.

WHEREFORE, the foregoing premises considered, the Alabama State Board of Medical Examiners respectfully requests the Medical Licensure Commission (“the Commission”), pursuant to its authority under Ala. Code § 34-24-361(f) and 41-22-19(d), immediately suspend the license to practice medicine in Alabama of THOMAS J. SHAKNOVSKY, D.O. without a hearing, and

order that he immediately cease and desist from the practice of medicine in the State of Alabama and surrender to the Commission, or a designated agent, his license to practice medicine.

Further, the Board requests that the Commission set a hearing on this Administrative Complaint and order THOMAS J. SHAKNOVSKY, D.O. to appear and answer the allegations contained in this Administrative Complaint. The Board requests that, at the conclusion of the hearing, the Commission revoke the license to practice medicine of Respondent, assess the maximum fine, and/or take such other actions as the Commission may deem appropriate based upon the evidence presented for consideration.

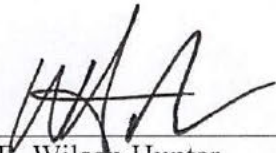
The Board is continuing the investigation of the Respondent and said investigation may result in additional charges being prepared and filed as an amendment to this Administrative Complaint.

**The Board requests that administrative costs be assessed against Respondent pursuant to Ala. Code § 34-24-381 and Commission Rule 545-X-3-.08(12)(e).**

This Administrative Complaint is executed for and on behalf of the Board by its Executive Director pursuant to the instructions of the Board as contained in its resolution of October 17, 2024, a copy of which is attached hereto and incorporated herein.

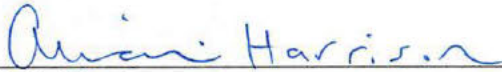
EXECUTED this 22nd day of October, 2024.

  
\_\_\_\_\_  
William M. Perkins, Executive Director  
ALABAMA STATE BOARD OF MEDICAL EXAMINERS



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E. Wilson Hunter  
General Counsel  
ALABAMA STATE BOARD OF MEDICAL EXAMINERS  
P.O. Box 946  
Montgomery, AL 36101-0946  
Telephone # (334) 242-4116  
[whunter@albme.gov](mailto:whunter@albme.gov)



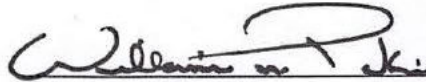
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STATE OF ALABAMA )

MONTGOMERY COUNTY )

Before me, the undersigned, personally appeared William M. Perkins, who, being by me first duly sworn, deposes and says that he, in his capacity as Executive Director of the Alabama State Board of Medical Examiners, has examined the contents of the foregoing complaint and petition and affirms that the contents thereof are true and correct to the best of his knowledge, information and belief.



William M. Perkins  
Executive Director  
ALABAMA STATE BOARD OF MEDICAL EXAMINERS

SWORN TO AND SUBSCRIBED before me this the 22nd day of October, 2024.



Notary Public

My commission expires: 1/20/2027



STATE OF ALABAMA     )  
                                          )  
MONTGOMERY COUNTY    )

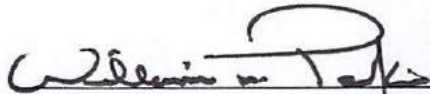
**A F F I D A V I T**

Before me, the undersigned, personally appeared William M. Perkins, Executive Director of the Alabama State Board of Medical Examiners, who, being by me first duly sworn deposes and says as follows:

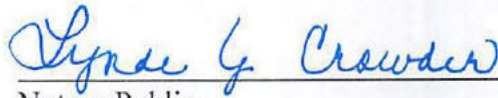
The Alabama State Board of Medical Examiners in session on October 17, 2024, a quorum of the members of the Board being present, conducted an investigation into the medical practice of THOMAS J. SHAKNOVSKY, D.O. At the conclusion of the discussion, the Board adopted the following resolution:

Thomas J. Shaknovsky, D.O., Destin, FL After consideration of investigative information, the Credentials Committee recommended that an Administrative Complaint and Petition for Summary Suspension of Medical License be filed with the Medical Licensure Commission. George T. Koulianos, M.D., was not present for the vote. The motion was adopted without objection.

I further certify that the foregoing resolution was adopted by the Alabama State Board of Medical Examiners on the 17th day of October, 2024.

  
\_\_\_\_\_  
William M. Perkins  
Executive Director  
ALABAMA STATE BOARD OF MEDICAL EXAMINERS

SWORN TO AND SUBSCRIBED before me this the 22nd day of October, 2024.

  
\_\_\_\_\_  
Notary Public  
My commission expires: 1/20/2027

