

12-02-15

STATE OF TENNESSEE  
DEPARTMENT OF HEALTH

IN THE MATTER OF:	)	BEFORE THE TENNESSEE
	)	BOARD OF MEDICAL EXAMINERS
TUAN DAO, M.D.	)	
PETITIONER	)	
	)	
SCOTTSDALE, AZ	)	DOCKET NO.: 17.18-134506A
	)	
PETITION FOR DECLARATORY	)	
ORDER	)	

NOTICE OF HEARING

Comes now the Department of Health, Division of Health Related Boards, by and through counsel and gives notice that a Petition for Declaratory Order filed on behalf of Tuan Dao, M.D. (and attached hereto as Exhibit A) was granted by the Board on November 10, 2015 and referred for a contested case hearing, which shall be heard on January 27, 2016 at 10:00 a.m. or as soon thereafter as the Board may take this matter up. This case shall determine whether Dr. Dao ("Petitioner") qualifies for the issuance of a Tennessee medical license.

PREPARED BY:

Andrea Huddleston, BPR # 016155  
Office of General Counsel  
Chief Deputy General Counsel  
665 Mainstream Drive  
Nashville, Tennessee 37243  
(615) 741-1611

12-1-15

DATE

RECEIVED  
2015 DEC - 1 PM 3:42  
SECRETARY OF STATE  
FULFILLATIONS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this document has been served upon Tuan Dao, M.D. by and through her attorneys, by delivering the same in the United States certified mail number 7015 1520 0003 3865 2978 and United States mail with sufficient postage thereon to reach its destination.

David L. Steed  
Cornelius & Collins  
Nashville City Center, Suite 1500  
511 Union Street  
Nashville, Tennessee 37219

This 18<sup>th</sup> day of December, 2015.



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Andrea Huddleston  
Chief Deputy General Counsel

**TUAN DAO, M.D.'S PETITION FOR DECLARATORY ORDER**

**1. Petitioner's Name:** Tuan Dao, M.D.  
**Petitioner's Address:** 1301 N. Scottsdale Rd., Apt. 2097  
Scottsdale, AZ 85257  
**Telephone Number:** (405) 517-3533

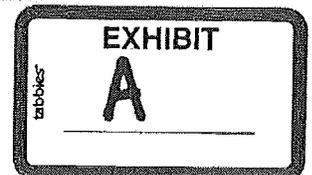
**2. Petitioner's Attorney's Name:** **David L. Steed**  
DLSteed@CCLAW.com  
615.244.1440  
Nashville City Center | Suite 1500  
PO Box 190695  
511 Union Street  
Nashville, Tennessee 37219

**3. Organization, if any, that the Petitioner Represents:** This Petitioner does not represent an organization.

**Organization Name:** Not Applicable  
**Address:** Not Applicable  
**Telephone Number:** Not Applicable

**4. Provide a statement of the facts which led to the filing of this petition. Include all facts you believe necessary for the agency to make a decision in this matter.**

Tuan Dao, M.D. was recruited to join St. Jude Children's Research Hospital ("St. Jude") as a faculty member because of his skills and expertise that meet a need at St. Jude and in the State of Tennessee, as indicated in the statements of Robert Kaufman, M.D., and others. Dr. Dao has a highly specialized and sought-after practice area needed in Tennessee, having completed a residency in radiology, and a fellowship in pediatric radiology. He is board certified in Diagnostic Radiology, passing on his first attempt. He will be seeking a Certificate of Added Qualification in Pediatric Radiology as soon as he is eligible. Dr. Dao has an interest in both academic and clinical practice, which makes him of value not only to patients he treats, but also to those who may be trained during his tenure at St. Jude, and their patients.



Dr. Dao's clinical practice meets a significant need of the citizens of Tennessee. Specialists with his training and experience are difficult to find and recruit. If granted a license, Dr. Dao will promptly start seeing patients at St. Jude's.

Dr. Dao passed all steps of the USMLE within eight (8) years, passing on the first attempt each time. He did not complete them all in seven years only because he was intending to practice in California, which has a ten year time limit. Many states either have a ten year time limit, or no time limit. He believed California's limit was among the most stringent. The reasons for the short time beyond seven years to completion thus does not reflect in any way upon his professional competency.

St. Jude is in dire need of Dr. Dao's assistance, due to the departure of another radiologist, which leaves them needing an additional specialist in this area.

Dr. Dao files this Petition seeking a license pursuant to Tenn. Code Ann. § 63-6-207(b), which states the Board has the authority to create "exceptions that will extend the seven (7) year time frame" for the completion of the USMLE. Dr. Dao is an exceptionally highly trained physician with a rare and specialized skillset that meets a great clinical need in Tennessee. It would be in the best interest of the children of Tennessee and their families for Dr. Dao to begin practicing and treating patients as soon as possible.

**5. Provide a summary of the relief you are requesting including the specific nature of the requested order and the conclusions you would like the agency to reach at the conclusion of the declaratory order process:**

Dr. Dao seeks relief from the Board in the form of a Declaratory Order, which grants him a full, unrestricted license to practice medicine in the State of Tennessee. Dr. Dao's years of postgraduate training in prestigious institutions and centers and years of postgraduate

training, his skillsets and impressive references, and experience warrant an exception to the seven (7) year rule pursuant to Tenn. Code Ann. § 63-6-207(b) under these circumstances.

Tenn. Code Ann. § 63-6-207(b) grants the Tennessee Board of Medical Examiners authority to create such exceptions to the seven (7) year rule for the completion of the USMLE. Dr. Dao has received a confirmed offer for an appointment at St. Jude, and the Board should grant this Order so that he can begin serving patients in Tennessee.

**6. Citation to the statute, rule or order which is the subject of the petition:**

Tenn. Code Ann. § 63-6-207(b)

Rule 0880-02-.08(4)(a)(b)(c)(d)

**7. State how the statute, rule and/or order cited above specifically and directly produces an effect or result upon you:**

The statute and rule at issue in this matter affect Dr. Dao's ability to provide medical care to patients in Tennessee who need his services. Tenn. Code Ann. § 63-6-207(b) grants the Tennessee Board of Medical Examiners authority to create exceptions to the seven (7) year rule for the completion of the USMLE. The statute does not limit the specific exceptions that the Board can make, but instead it refers to the Rules and Regulations. The Rules presently outline one exception, but there is no indication in the Rules that this is the only exception that can be made by the Board. In the context of a Declaratory Order, the Board can make additional exceptions to the seven year rule, and such an exception is warranted given the education, qualifications, and skillset of Dr. Dao. There is nothing in the statute that provides that it is to be strictly construed.

An exception is particularly appropriate in Dr. Dao's case as he is exactly the type of physician needed for the cutting edge medical care provided at St. Jude; these efforts are

making great strides in treating cancer and other illness. The General Assembly of Tennessee has expressly acknowledged the important role that St. Jude plays in the care of patients in Tennessee in Tenn. Code Ann. § 63-6-207(b).

Additionally, Dr. Dao qualifies for the exception based upon the same policy reason for the provisions in Rule 0880-02-.08(4)(d) for applicants who have been working toward both an M.D. and Ph.D. in a biological science. This exception allows for an extension of the seven year deadline for the completion of the USMLE so as not to discourage or punish physicians for pursuing this combination of training, which normally takes eight years. Following this reasoning and underlying policy, an exception for an applicant who has been working toward both an M.D. and a radiology residency with further subspecialty training in a pediatric radiology fellowship is in keeping with the purpose of the outlined exception so as not to prevent highly educated and trained physicians, such as Dr. Dao, from practicing in Tennessee. The number of years of training Dr. Dao has completed exceeds the years of training required for an M.D. and Ph.D. Dr. Dao's pursuit of multiple residencies in order to gain the training needed for the highly specialized field of Pediatric Radiology in which there is a critical need, is certainly analogous to the pursuit of an M.D. and Ph.D., and an exception for Dr. Dao would be an appropriate interpretation of the Rule and its underlying purpose. This is even more appropriate in light of the fact that Dr. Dao passed each part of the USMLE on the first attempt, and thus he was not delayed beyond seven years by any failures to pass the examination.

As a statement of the policy requiring this Order, this action should be taken because it is in the best interests of the people in the State of Tennessee because of the needed advanced

training of the Petitioner and the paucity of physicians with his specialty in Tennessee. It is the goal of the Board to ensure people in Tennessee have access to the best-trained physicians and the most innovative treatment to provide the best possible care.

Dr. Dao meets all other criteria for licensure in the state of Tennessee. He is scheduled to appear for an interview before the Board on November 9, 2015. He asks the Board to review his education, training and credentials under the authority of Tenn. Code Ann. § 63-6-207(b) and grant him a license to practice in the state of Tennessee. Based on his qualifications and his needed skill set, which he will utilize to care for children with cancer, Dr. Dao petitions the Board to expediently grant him an unrestricted license, pursuant to Tenn. Code Ann. § 63-6-207(b). For these reasons, Dr. Dao respectfully requests that the Tennessee Board of Medical Examiners afford him the relief requested herein.

Documents supporting this Petition will include, but are not limited to, the following:

- 1- Curriculum Vitae, including Board Certification.
- 2- Letters of support and recommendation.

Respectfully Submitted,



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David L. Steed

DLSteed@CCLAW.com

615.244.1440

Nashville City Center | Suite 1500

PO Box 190695

511 Union Street

Nashville, Tennessee 37219

Counsel for Petitioner



**Tuan V. Dao, MD**

1301 N. Scottsdale Rd #2097  
Scottsdale, AZ 85257  
909-228-8986  
tuandao@live.com  
@TuanDaoMD

**EDUCATION**

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University of California, Berkeley Berkeley, CA Bachelor of Arts, Molecular and Cell Biology	1996-2002
Ross University School of Medicine Portsmouth, Dominica Doctor of Medicine	2005-2009

**POSTDOCTORAL TRAINING**

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SUNY Upstate Medical University Syracuse, NY Internship, Internal Medicine, Upstate University Hospital	2009-2010
Georgia Regents University Augusta, GA Diagnostic Radiology	2010-2014
Phoenix Children's Hospital Phoenix, AZ Pediatric Radiology Fellowship	2014-2015

**PROFESSIONAL MEMBERSHIPS**

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Radiological Society of North America	2010-Present
American Roentgen Ray Society	2010-Present
American College of Radiology	2010-Present
Society of Pediatric Radiology	2012-Present

## RESEARCH AND PUBLICATIONS

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1. Dao T, Beydoun T, Youssfi M. Ultrasound as a Definitive Imaging Predictor of Midgut Volvulus. Oral Presentation. Society of Pediatric Radiology 2015 Annual Meeting.
2. Dao T, Beydoun T, Youssfi M. Ultrasound as a Definitive Imaging Predictor of Midgut Volvulus. Scientific Poster Presentation. University of Arizona Academic Excellence Day 2015.
3. Dao T, Beydoun T, Youssfi M. Ultrasound as a Definitive Imaging Predictor of Midgut Volvulus. Scientific Presentation. Phoenix Children's Hospital Research Day 2015. Fellow Award – 1<sup>st</sup> Place.
4. Dao T, Aria D, Davis T, Beydoun T, Kaye R, Schaefer C, Towbin R. Two Cases of Fibroadipose Vascular Anomaly. Case Poster Presentation. European Society of Pediatric Radiology 2015 Annual Meeting.
5. Dao T, Aria D, Davis T, Beydoun T, Kaye R, Schaefer C, Towbin R. Fibroadipose Vascular Anomaly – When It Isn't a Venous Malformation. Case Poster Presentation. Phoenix Children's Hospital Research Day 2015.
6. Patel M, Dao T, Khanna R, Cornejo P, Biyyam D. Paraneoplastic anti-NMDA receptor encephalitis associated with bilateral ovarian teratomas. Poster Presentation. Society of Pediatric Radiology 2015 Annual Meeting.
7. Dao T, Khanna R, Cornejo P, Biyyam D, Patel M. Paraneoplastic anti-NMDA receptor encephalitis associated with bilateral ovarian teratomas. Case Poster Presentation. Phoenix Children's Hospital Research Day 2015.
8. Beydoun T, Dao T, Patel M, Aria D, Towbin R. Pediatric Vasculitis: The Role of the Radiologist Through Case Review. Poster Presentation. Society of Pediatric Radiology 2015 Annual Meeting.
9. Beydoun T, Dao T, Patel M, Aria D, Towbin R. Pediatric Vasculitis: The Role of the Radiologist Through Case Review. Scientific Poster Presentation. Phoenix Children's Hospital Research Day 2015.
10. Patel M, Dao T, Cornejo P, Barnes CE, Dickman P, Biyyam D. Chondroblastic Osteosarcoma with tumor thrombus, case series of two pediatric patients. Case Report presentation. Society of Pediatric Radiology 2015 Annual Meeting
11. Dao T, Beydoun T, Cornejo P, Biyyam D, Dickman P, Jacobsen J, Barnes C, Patel M. Chondroblastic Osteosarcoma with tumor thrombus, case series of two pediatric patients. Case Series poster presentation. Phoenix Children's Hospital Research Day 2015.
12. Aria D, Karlovich B, Schaefer C, Kaye R, Davis T, Beydoun T, Dao T, R. Towbin. Congenital Venous Malformations Involving the External Female Genitalia. Case Report Oral Presentation. European Society of Pediatric Radiology 2015 Annual Meeting.
13. Aria D, Karlovich B, Schaefer C, Kaye R, Davis T, Beydoun T, Dao T, R. Towbin. Congenital Venous Malformations Involving the External Female Genitalia. Case Poster Presentation. Phoenix Children's Hospital Research Day 2015.

14. Aria D, Beydoun T, Dao T, Davis T, Kaye R, Schaefer C, Karlovich B, Towbin R. AVM Treatment via Venous Sump Embolization. Scientific Poster Presentation. European Society of Pediatric Radiology 2015 Annual Meeting.
15. Kaye R, Aria D, Schaefer C, Davis T, Beydoun T, Dao T, Towbin R. AVM Treatment via Venous Sump Embolization. Case Poster Presentation. Phoenix Children's Hospital Research Day 2015.
16. Aria D, Beydoun T, Dao T, Davis T, Schaefer C, Kaye R, Towbin R. Ten Tips for Technical Success in Young Child Interventions. Educational Poster Presentation. European Society of Pediatric Radiology 2015 Annual Meeting.
17. Aria D, Beydoun T, Dao T, Davis T, Schaefer C, Kaye R, Towbin R. Ten Tips for Technical Success in Young Child Interventions. Educational Poster Presentation. Phoenix Children's Hospital Research Day 2015.
18. Davis T, Bailey S, Aria D, Beydoun T, Dao T, Schaefer C, Kaye R, Towbin R. Liver Fibrosis in the Pediatric Population. Correlation of Elastography and Liver Biopsy. Oral Presentation. European Society of Pediatric Radiology 2015 Annual Meeting.
19. Davis T, Bailey S, Aria D, Beydoun T, Dao T, Schaefer C, Kaye R, Towbin R. Liver Fibrosis in the Pediatric Population. Correlation of Elastography and Liver Biopsy. Scientific Poster Presentation. University of Arizona Academic Excellence Day 2015.
20. Davis T, Aria D, Beydoun T, Dao T, Schaefer C, Kaye R, Towbin R. Embolization of hepatic AVM in a premature 890 gram neonate. Poster Presentation. European Society of Pediatric Radiology 2015 Annual Meeting.
21. Davis T, Aria D, Beydoun T, Dao T, Schaefer C, Kaye R, Towbin R. Embolization of hepatic AVM in a premature 890 gram neonate. Case Poster Presentation. Phoenix Children's Hospital Research Day 2015.
22. Davis T, Vatsky S, Aria D, Beydoun T, Dao T, Schaefer C, Kaye R, Towbin R. Image guided renal biopsy in the pediatric population. Is it safe as an outpatient procedure? Poster Presentation. European Society of Pediatric Radiology 2015 Annual Meeting.
23. Davis T, Vatsky S, Aria D, Beydoun T, Dao T, Schaefer C, Kaye R, Towbin R. Image guided renal biopsy in the pediatric population. Is it safe as an outpatient procedure? Scientific Poster Presentation. Phoenix Children's Hospital Research Day 2015.
24. Beydoun T, Aria D, Dao T, Davis T, Schaefer C, Kaye R, Towbin R. Tongue Scleroablative Therapy: Approach, Management, and Expectations. Educational Poster Presentation. European Society of Pediatric Radiology 2015 Annual Meeting.
25. Beydoun T, Aria D, Dao T, Davis T, Schaefer C, Kaye R, Towbin R. Tongue Scleroablative Therapy: Approach, Management, and Expectations. Educational Poster Presentation. Phoenix Children's Hospital Research Day 2015.
26. Dao T, Beydoun T, Cornejo P, Carpentieri D, Taylor S, Patel M. A Bump on the Head – An Unusual Presentation of Extraosseous Ewing Sarcoma in a 3-month-old Male. Case Poster Presentation. Phoenix Children's Hospital Research Day 2015.
27. Dao T, Beydoun T, Patel M. The Radiology Zoo. Educational Poster Presentation. Phoenix Children's Hospital Research Day 2015.

28. Dao TV, Beydoun T, Jorgensen S, Towbin A, Towbin R. Pediatric Radiological Case – Superior Mesenteric Artery Compression Syndrome. Applied Radiology. 2014 Nov 64-66.
29. Dao TV, Melenevsky Y, Nguyen JQ. Inner Visions – The Cat and the Owl. Radiographics. March-April 2013 584.
30. Franco A, Dao TV, Lewis KN, Biddinger PW. A Case of Clear Cell Sarcoma of the Kidney. Radiology Case. 2011 Feb;5(2):8-12.
31. Siddhanti M, Sadhu G, Dao T, Clinical Predictors of Renal Failure in Rhabdomyolysis. Poster presentation at Kern Medical Center 2008 Research Forum. Bakersfield, CA.
32. Dao TV, Abrahams BR, Yanasak N. Establishing the Diagnostic Accuracy of the Apple iPad in the Evaluation of Pneumothorax in Chest Radiographs. Residency Research Project at Georgia Regents University. 2014.

#### **PUBLICATIONS IN SUBMISSION**

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1. Dao TV, Beydoun T, Patel M, Jorgensen S, Towbin A, Towbin R. Pediatric Radiological Case – Polyarteritis Nodosa. Applied Radiology. Submitted May 2015.
2. Beydoun T, Dao TV, Jorgensen S, Towbin A, Towbin R. Gastric Volvulus. Applied Radiology. Submitted May 2015.
3. Dao TV, Beydoun T, Patel M, Southard R, Mandell G, Aria D, Youssfi M, Biyyam D, Cassell I. Pictorial Essay of Coccidioidomycosis in Children. Pediatric Radiology. Submitted June 2015.
4. Dao TV, Patel M, Taylor S, Jacobsen J, Southard R. A Case of Wolman Disease. Pediatric Radiology. Submitted June 2015.

#### **HONORS AND AWARDS**

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1. Graduated with Highest Honors from Ross University 2009
2. Resident Teaching Award at SUNY Upstate Medical University 2009

#### **VOLUNTEER EXPERIENCE**

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1. Vietnamese Student Association at Ross University, Dominica 2005-2006  
  
President  
Set agenda. Plan and coordinate events to promote Vietnamese culture awareness and camaraderie among student population.
2. Salybia Mission Project, Dominica 2005-2006  
  
Volunteer  
Served indigenous Carib population in Dominica. Hypertension and diabetes

screenings. History and physicals. Patient education on health issues.

3. Interval House, Long Beach, California 2003-2005  
  
Volunteer  
Created database-driven web-based application to handle client records.  
Paperwork for client intake. Helped with setting up computer network at shelters.  
Interacted with victims and their children.
  
4. Fatima Group at Our Lady of the Assumption Church, Claremont, California 2003-2005  
  
Youth Group Leader  
Youth group leader for Vietnamese children ages 5-18. Taught religious education, set up weekly plans, peer counselor.
  
5. Vietnamese Student Association at UC Berkeley, Berkeley, California 1998-1999  
  
Vice President  
Helped plan agenda and events to promote Vietnamese culture among student population. Communicated with Vietnamese Student Association from other local colleges.
  
6. STRIVE Tutoring Program, Oakland, California 1997-2000  
  
Mentor  
Tutored underprivileged Vietnamese students ages 5-18 of recent Vietnamese immigrants. Peer counselor.

#### **PERSONAL INFORMATION**

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- Married with two sons and a daughter
- Hobbies: sports, camping, fishing

## REFERENCES

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Richard B. Towbin, MD  
Radiologist-in-Chief, Radiology  
Phoenix Children's Hospital  
1919 E. Thomas Rd  
Phoenix, AZ 85016  
602-933-1213

Craig E. Barnes, MD  
Pediatric Radiology Fellowship Program Director  
Phoenix Children's Hospital  
1919 E. Thomas Rd  
Phoenix, AZ 85016  
480-433-8017

Mittun Patel, MD  
Pediatric Radiology Attending  
Phoenix Children's Hospital  
1919 E. Thomas Rd  
Phoenix, AZ 85016  
979-739-5655



Robert A. Kaufman, MD, FACR  
*Radiologist-in-Chief*  
*Member, Division of Diagnostic Imaging*  
*Department of Radiological Sciences*

(901.595.2309 | 901.595.3978  
robert.kaufman@stjude.org

VIA FED EX

October 27, 2015

Tennessee Board of Medical Examiners  
C/O Maegan Martin, Executive Director  
Tennessee Department of Health  
665 Mainstream Drive  
Nashville, TN 37243

In re: Tuan V. Dao, MD

Dear Ms. Martin:

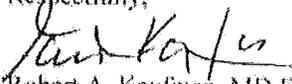
I am writing to support the Tennessee medical licensure application of Tuan Dao, MD. I believe that Dr. Dao's licensure application now is complete, and hopefully either he will be granted licensure or appear on the agenda for the November meeting.

We believe Dr. Dao to be a very well qualified applicant for a Tennessee medical license as supported by his licensure application, his training, and his curriculum vitae. Dr. Dao is a pediatric radiologist who took his fellowship training at Phoenix Children's Hospital under the supervision of Dr. Richard Towbin, Radiologist-in-Chief at that institution. Dr. Dao has specialized training and experience in pediatric oncologic body imaging that we need at St. Jude, and in May 2015 we offered Dr. Dao a full-time clinical staff position beginning September 1. His predecessor has returned to Texas Children's Hospital as of September 1, which has created significant staffing challenges in our department. Clearly, we need his expertise at the earliest possible date and very much look forward to having him join us.

Dr. Dao has excellent recommendations from his senior faculty at Phoenix Children's, and was well received by the St. Jude faculty during his extensive interview visit last spring. Dr. Dao is known as an excellent physician, a hard worker and a pleasure to work with, both effective and good at his job, talented in imaging IT issues, and strong in cross-sectional body imaging appropriate for a pediatric cancer hospital. He also has academic and research interests which make him a good fit for St. Jude.

Dr. Larry Kun, the Clinical Director of St. Jude and the Chair of Diagnostic Imaging, and I are entirely supportive of Dr. Dao's application for licensure. I would be happy to provide additional information to the Board or to speak on behalf of Dr. Dao, if this would be helpful to the Board.

Respectfully,

  
Robert A. Kaufman, MD FACR  
Radiologist-in-Chief  
Chief, Diagnostic Imaging

Professor of Radiology and Pediatrics  
University of Tennessee Health Sciences Center  
College of Medicine

C: Rene Christine Saunders, MD.

RAK/lrc



Larry E. Kun, MD  
*Clinical Director and Executive Vice President  
Chair, Department of Radiological Sciences*

t901.595.3565 f901.595.8600  
larry.kun@stjude.org

3 November 2015

Tennessee Board of Medical Examiners  
c/o Maegan Martin, Executive Director  
Tennessee Department of Health  
665 Mainstream Drive  
Nashville, TN 37243

Re: Tuan V. Dao, MD, Candidate for Tennessee Medical License

Dear Members of the Board:

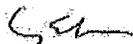
We should like to support your consideration for granting medical licensure to Tuan V. Dao, MD, of Scottsdale, Arizona. Dr. Dao is a Board certified diagnostic radiologist who completed training in diagnostic radiology at the Medical College of Georgia in 2014 and a fellowship in pediatric radiology at Phoenix Children's Hospital in 2015. His training in pediatric radiology mark him as one of only a few dozen physicians completing specialty training in an area of medicine which is critical for childhood health in the state of Tennessee and the nation.

St. Jude Children's Research Hospital is a specialty institution in west Tennessee dedicated to patient care and research in pediatric catastrophic diseases that threaten the lives of children and adolescents throughout the state and the broad midsouth region. We have an acute shortage of trained diagnostic radiologists with expertise key to delivering optimal care of children fighting catastrophic diseases in our institution. We seek to employ Dr. Dao for a one year period of time as soon as his medical licensure is approved, providing us with the trained and Board certified manpower necessary in this critical subspecialty. Our continued employment for Dr. Dao beyond the one year for which he has met all other requirements short of state licensure for clinical privileges at our institution will depend upon our staffing needs at that time.

Through our senior leadership in Diagnostic Imaging, we have worked to assess Dr. Dao's competence and dedication in a pediatric subspecialty that is in relatively short supply nationwide. He has recently passed certification by the American Board of Radiology, and it is our sincere hope that the Board of Medical

Examiners will grant him licensure enabling us to bring Dr. Dao on staff where his skills and expertise are needed. We very much appreciate your consideration in this matter.

Yours sincerely,

  
Larry E. Kun, MD  
Clinical Director and Executive Vice President  
Interim Chair, Department of Diagnostic Imaging  
Interim Chair, Department of Bone Marrow Transplantation and Cellular Therapy

Professor, Departments of Pediatrics and Radiology  
The University of Tennessee College of Medicine, Memphis

/rd  
cc: Rene Saunders, MD, Medical Director



Robert A. Kaufman, MD, FACR  
Radiologist-in-Chief  
Member, Division of Diagnostic Imaging  
Department of Radiological Sciences

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robert.kaufman@stjude.org

November 5, 2015

Tennessee Board of Medical Examiners  
C/O Angela M. Lawrence  
Tennessee Department of Health  
665 Mainstream Drive  
Nashville, TN 37243

To the Tennessee Board of Medical Examiners:

I appreciate the opportunity to provide additional information to supplement my letter of October 27, 2015 supporting the application of Tuan V. Dao, MD for medical licensure in Tennessee. After rigorous interviews last spring, we offered a staff physician position to Dr. Dao, which he enthusiastically accepted. We had planned for him to start by September 1, pending licensure and credentialing. We are seriously understaffed without Dr. Dao's services and our need is urgent.

Doctor Dao is very well trained as a pediatric radiologist, and has the *specific clinical skills* in cross-sectional imaging that we need in a pediatric cancer hospital, to provide excellent, cutting-edge care to St. Jude patients. He is well regarded by his faculty mentors at Phoenix Children's Hospital who are personally known to us. He has the attributes we desire in a clinical physician. His undergraduate training at U. Cal. Berkeley and background in computer science and programming prior to beginning his career in medicine will be invaluable to us as we are a heavily IT and technology based department and a very data driven institution.

Dr. Dao has academic and research interests in addition to his clinical skills. St. Jude is better served by attracting physicians who are research oriented, who are engaged in our mission, and whose careers can flourish in our environment. Most pediatric radiologists coming out of training are not interested in academics and research. Thus, *he helps us to accomplish St. Jude's research mission* as he will collaborate with St. Jude faculty on various research protocols, clinical investigations, presentations and papers. As a fellow/trainee, Dr. Dao participated in a large number of research projects and presentations which augers well for both his career and for his fit at St. Jude.

Pediatric radiology is a small discipline within radiology. A very limited number of trainees graduate each year from ACGME accredited pediatric radiology training programs. Most are not interested in focusing on a narrow area of pediatric medicine (cancer and hematological diseases) *directly out of training*. That makes it difficult to recruit junior staff. We have 5 body imaging/pediatric radiologist positions in our department, but two of 5 positions are unfilled. The three remaining physicians (2.8 FTEs) also have academic/research responsibilities and obligations which are difficult to fulfill without Dr. Dao whose appointment will be 80 -- 90% clinical.

There is no alternate qualified candidate available in the U.S. now to our knowledge. We would have to wait until next July to find someone else to fill this position, if Dr. Dao cannot be licensed in TN. We strongly believe that Dr. Dao meets a significant need in the State of Tennessee in a discipline which is critical to the health and well-being of the children of St. Jude. If granted a license by the Board, Dr. Dao is prepared to start work immediately. We hope that the Board will look favorably upon his application.

Respectfully submitted,

Robert A. Kaufman, MD, FACR  
Radiologist-in-Chief and Full Member

Professor of Radiology and Pediatrics  
University of Tennessee Health Sciences Center and College of Medicine